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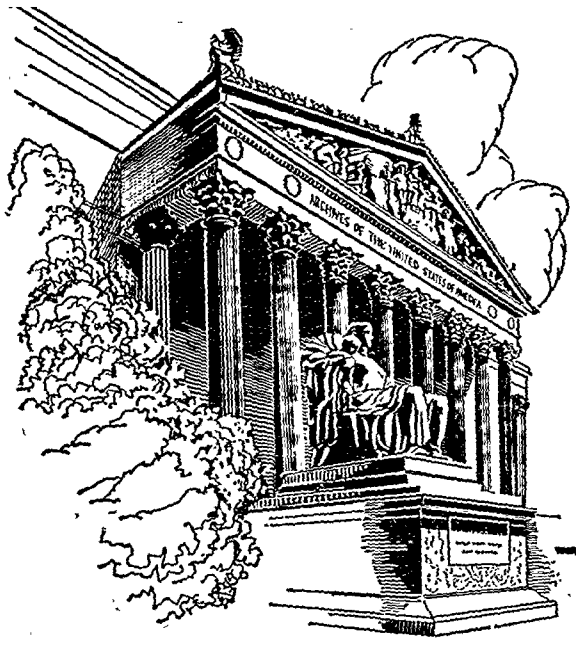

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ANNUAL INDEX TO THE FEDERAL REGISTER

[1967]

The Annual Index covers all documents published in the FEDERAL REGISTER during the calendar year 1967. Entries in the Index are carried primarily under the names of the issuing agencies; however, additional entries covering the most significant items are also carried in appropriate alphabetical position.

The 1967 Index contains 136 pages with over 20,000 entries.

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Temporary Boards and Commissions

A new § 213.3199 is being added to Part 213 to cover temporary boards and commissions. As the initial inclusion in the new section, paragraph (a) is listed to show that positions at GS–15 and below on the staff of the President's Commission on Income Maintenance Programs are excepted under Schedule A until June 30, 1970. Effective on publication in the FEDERAL REGISTER, § 213.3199 and paragraph (a) thereunder are added as set out below.

§ 213.3199 Temporary boards and commissions.

(a) *President's Commission on Income Maintenance Programs.* (1) Until June 30, 1970, positions at GS–15 and below.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68–3324; Filed, Mar. 15, 1968; 11:40 a.m.]

PART 307—TRANSITIONAL APPOINTMENTS

PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

Miscellaneous Amendments

Subchapter B of Chapter 1 is amended to add a new Part 307 setting forth the regulations governing transitional appointments authorized by Executive Order 11397. In addition, Part 315 is amended to include a new § 315.703b governing the conversion of employees from transitional appointments to career or career-conditional employment.

1. Part 307 reads as follows:

Sec.
307.101 Definitions.
307.102 Basic eligibility.
307.103 Appointment authority.
307.104 Approved education or training program.
307.105 Conditions of employment.

AUTHORITY: The provisions of this Part 307 issued under 5 U.S.C. 3301, 3302; E.O. 11397, 33 F.R. 2833, 3 CFR, 1968 Supp.

§ 307.101 Definitions.

In this part:

(a) "Veteran" means veteran and disabled veteran as these terms are defined in section 2108 (1), (2) of title 5, United States Code.

(b) "Vietnam era" is the period beginning August 5, 1964, and ending on a date to be determined by Presidential proclamation or concurrent resolution of the Congress.

(c) "Transitional appointment" is an excepted appointment made under the conditions named in this part to a position otherwise in the competitive service of a veteran who served during the Vietnam era.

§ 307.102 Basic eligibility.

(a) Subject to the limitation in paragraph (b) of this section, a veteran is eligible to receive a transitional appointment if he:

(1) Served on active duty in the armed forces of the United States during the Vietnam era;

(2) Has completed less than 1 year of education beyond graduation from high school, or the equivalent; and

(3) Agrees in writing that during his employment under the appointment he will pursue a program of education or training approved under § 307.104.

(b) A veteran may be given a transitional appointment only within the period ending (1) 1 year after either his separation from the armed forces or his release from hospitalization or treatment immediately following separation from the armed forces, or (2) February 8, 1969, whichever is later.

§ 307.103 Appointment authority.

An agency may appoint by transitional appointment a veteran eligible under § 307.102 to a position at GS–5 or below, or the equivalent, for which he is qualified. The appointment is subject to investigation by the Commission. A law, Executive order, or regulations which disqualifies a person for appointment in the competitive service also disqualifies him for a transitional appointment.

§ 307.104 Approved education or training program.

(a) An approved program of education or training shall provide for not less than 1 school year, or the equivalent, of full-time education or training. For a veteran who has not completed a high school education, or the equivalent, the program shall provide for 2 school years of full-time education or training, or the equivalent, except that education or training in excess of 1 year shall not be required after graduation from high school, or the equivalent.

(b) The Commission shall establish and publish in the Federal Personnel Manual guidelines for the approval of a program of education or training.

§ 307.105 Conditions of employment.

An employee holding a transitional appointment serves subject to satisfactory performance of assigned duties and satisfactory progress in the program of education or training approved for him. The agency shall separate an employee who does not meet these conditions, following the procedures in Part 752 of this chapter if the employee has completed 1 year of current continuous employment.

2. Part 315 is amended by adding a new § 315.703b as set out below.

§ 315.703b Employees serving under transitional appointment.

(a) *Agency action.* An agency shall convert the employment of an employee who has served continuously under a transitional appointment for at least 1 year to career or career-conditional employment within 90 calendar days after he completes the program of education or training approved for him under § 307.104 of this chapter.

(b) *Tenure.* Upon conversion of his employment, the employee becomes:

(1) A career-conditional employee, except as provided in subparagraph (2) of this paragraph;

(2) A career employee if he has completed the service requirement for career tenure or is expected from it by § 315.201(c).

(c) *Acquisition of competitive status.* An employee whose employment is converted to career or career-conditional employment under this section acquires a competitive status automatically on conversion.

(5 U.S.C. 3301, 3302; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68–3279; Filed, Mar. 15, 1968; 8:50 a.m.]

Chapter VII—Advisory Commission on Intergovernmental Relations

PART 1700—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Pursuant to and in accordance with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Chapter VII of Title 5 of the Code of Federal Regulations, consisting of Part 1700, is revised to read as follows:

Sec.
1700.735–101 Adoption of regulations.
1700.735–102 Review of statements of employment and financial interests.
1700.735–103 Disciplinary and other remedial action.
1700.735–104 Gifts, entertainment, and favors.
1700.735–105 Outside employment.

Sec.
1700.735–108 Specific provisions of Commission regulations governing special government employees.
1700.735–109 Statements of employment and financial interest.

AUTHORITY: The provisions of this Part 1700 issued under E.O. 11222, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.101, et seq.

§ 1700.735–101 Adoption of regulations.

Pursuant to § 735.104(f) of this title, the Advisory Commission on Intergovernmental Relations (referred to hereinafter as the Commission) hereby adopts the following sections of Part 735 of this title, Code of Federal Regulations: §§ 735.101, 735.102, 735.201a, 735.202 (a), (d), (e), (f)–735.210, 735.302, 735.303(a), 735.304, 735.305(a), 735.403(a), 735.404–735.411, 735.412 (b) and (d). These adopted sections are modified and supplemented as set forth in this part.

§ 1700.735–102 Review of statements of employment and financial interests.

Each statement of employment and financial interests submitted under this part shall be reviewed by the Executive Director. When this review indicates a conflict of interest of an employee or special Government employee of the Commission and the performance of his services for the Government, the Executive Director shall have the indicated conflict brought to the attention of the employee or special Government employee, grant the employee or special Government employee an opportunity to explain the indicated conflict, and attempt to resolve the indicated conflict. If the indicated conflict cannot be resolved, the Executive Director shall forward a written report on the indicated conflict to the Chairman, Advisory Commission on Intergovernmental Relations.

§ 1700.735–103 Disciplinary and other remedial action.

An employee or special Government employee of the Commission who violates any of the regulations in this part or adopted under § 1700.735–101 may be disciplined. The disciplinary action may be in addition to any penalty prescribed by law for the violation. In addition to, or in lieu of, disciplinary action, remedial action to end conflicts or appearance of conflicts of interest may include but is not limited to:

(a) Changes in assigned duties;

(b) Divestment by the employee of his conflicting interests; or

(c) Disqualification for a particular assignment.

§ 1700.735–104 Gifts, entertainment, and favors.

The Commission authorizes the exceptions to § 735.202(a) of this title set forth in § 735.202(b) (1)–(4) of this title.

§ 1700.735–105 Outside employment.

(a) An employee of the Commission may engage in outside employment or other outside activity not incompatible with the full and proper discharge of the duties and responsibilities of his Government employment. An employee who engages in outside employment shall report that fact in writing to his supervisor.

(b) Employees and special Government employees of the Commission may engage in teaching, writing, and lecturing provided, however, employees and special Government employees shall not receive compensation or anything of monetary value for any consultation, discussion, writing, lecturing, or appearance the subject matter of which is devoted substantially to the specific responsibilities, programs, or operations of the Commission, or which draws substantially on official data or ideas which have not been published or otherwise publicly released by the Commission. The foregoing limitation on the receipt of compensation or anything of monetary value shall not be construed as applying to amounts received for reimbursement for travel and other expenses incurred in performing the outside employment.

§ 1700.735–108 Specific provisions of Commission regulations governing special Government employees.

(a) The term "special Government employee" as used in this part means an officer or employee who is retained, designated, appointed, or employed by the Commission to perform, with or without compensation, for not more than 130 days during any period of 365 consecutive days, temporary duties either on a full-time or intermittent basis.

(b) Special Government employees shall adhere to the standards of conduct applicable to employees set forth in this part and adopted under § 1700.735–101, except that § 735.203(b) of this title is not applicable to a special Government employee.

(c) Pursuant to § 735.305(b) of this title, the Commission authorizes the same exceptions concerning gifts, entertainment, and favors for special Government employees as are authorized for employees by § 1700.735–104.

§ 1700.735–109 Statements of employment and financial interests.

(a) In addition to the employees required to submit statements of employment and financial interests under § 735.403(a) of this title, employees in the following named positions shall submit statements of employment and financial interest to the Executive Director.

Assistant Director, Taxation and Finance.
Assistant Director, Governmental Structure and Functions.
Assistant Director, Program Implementation.

(b) The statement of employment and financial interest required by this section shall be submitted by the Executive Director to the Chairman of the Commission.

(c) An employee who believes that his position has been improperly included in this section as one requiring the submission of a statement of employment and financial interests may obtain a review of his complaint under the agency's grievance procedure.

(d) A statement of employment and financial interest is not required under this part from Members of the Commission. Members of the Commission are subject to 3 CFR 100.735–31 and are required to file a statement only if requested to do so by the Counsel to the President.

Notwithstanding the filing of the annual supplementary statement required by 5 CFR 735.406, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of section 208 of title 18, United States Code or the regulations in this Part or adopted under § 735.101.

These amendments were approved by the Civil Service Commission on February 23, 1968, and are effective on publication in the FEDERAL REGISTER.

WM. G. COLMAN,
Executive Director.

[F.R. Doc. 68–3206; Filed, Mar. 15, 1968; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections and Marketing Practices), Department of Agriculture

SUBCHAPTER M—EXPORT AND DOMESTIC CONSUMPTION PROGRAMS

[208.13 Amdt. 2]

PART 208—FRESH IRISH POTATOES

Subpart—Fresh Irish Potatoes-Livestock Feed Diversion Program IMD 3a

METHODS OF FEEDING

Findings. Participating growers have requested that the termination date for spreading potatoes under the freeze and thaw method utilizing potatoes for livestock feed be extended beyond March 16, 1968. It is hereby found that the amendment hereafter set forth will tend to increase the use of the program thereby effectuating greater diversion of potatoes from normal channels of trade and disposing of the heavy supplies held by growers.

In 208.13 (33 F.R. 623) paragraph (c)(4) is hereby amended to read as follows:

§ 208.13 Methods of feeding.

* * * * * *

(c) * * *

(4) Spreading must take place on or before March 18, 1968 except in the States of Colorado, Maine, Michigan, Minnesota, Montana, and North Dakota where spreading must take place on or before March 23, 1968.

Dated: March 13, 1968.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 68–3252; Filed, Mar. 15, 1968; 8:49 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Grapefruit Reg. 34, Amdt. 2]

PART 909—GRAPEFRUIT GROWN IN THE STATE OF ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 909, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif.; and in that part of Riverside County, Calif., situated south and east of White Water, Calif., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because of the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date. The Administrative Committee held an open meeting on March 7, 1968, to consider recommendation for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such open meeting; necessary supplemental economic and statistical information upon which this recommended amendment is based were received on March 12, 1968; information regarding the provisions of the regulation recommended by the committee has been disseminated to shippers of grapefruit, grown as aforesaid, this amendment, including the effective time thereof, is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this amendment effective on the date hereinafter set forth; and compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed on or before the effective date hereof, and this amendment relieves restrictions on the handling of grapefruit.

Order. In § 909.334 (Grapefruit Reg. 34, 32 F.R. 14201, 32 F.R. 17849), paragraphs (a) (1) (i); (2); and (b) are amended to read as follows:

§ 909.334 Grapefruit Regulation 34.

(a) * * *

(1) * * *

(i) Any grapefruit which do not meet the requirements of the U.S. No. 2 grade which for purpose of this regulation shall include the requirement that the grapefruit be free from peel that is more than 1 inch in thickness at the stem end (measured from the flesh to the highest point of the peel): *Provided,* That the tolerance prescribed for the U.S. No. 2 grade shall be the tolerance applicable to the requirements of this subparagraph except that an additional tolerance of 15 percent shall be allowed for grapefruit having light colored scarring on an aggregate of more than 25 percent of the fruit surface and a tolerance of 5 percent shall be allowed for grapefruit having peel more than 1 inch in thickness at the stem end; or

(ii) * * *

(2) Subject to the requirements of subparagraph (1) (i) of this paragraph, any handler may, but only as the initial handler thereof, handle grapefruit smaller than $3\frac{11}{16}$ inches in diameter directly to a destination in Zone 4, Zone 3, or Zone 2; and if the grapefruit is so handled directly to Zone 2 the grapefruit does not measure less than $3\frac{4}{16}$ inches in diameter: *Provided,* That a tolerance of 5 percent, by count, of grapefruit smaller than $3\frac{4}{16}$ inches in diameter shall be permitted, which tolerance shall be applied in accordance with the aforesaid provisions for the application of tolerances and, in determining the percentage of grapefruit in any lot which are smaller than $3\frac{4}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are $3\frac{11}{16}$ inches in diameter and smaller.

(b) As used herein, "handler," "grapefruit," "handle," "Zone 2," "Zone 3," and "Zone 4" shall have the same meaning as when used in said amended marketing agreement and order; the term "U.S. No. 2" shall have the same meaning as when used in the aforesaid revised U.S. Standards for Grapefruit; and "diameter" shall mean the greatest dimension measured at right angles to a line from the stem to blossom end of the fruit.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: March 14, 1968, to become effective March 17, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68-3319; Filed, Mar. 15, 1968; 8:50 a.m.]

[Lemon Reg. 312]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.612 Lemon Regulation 312.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 12, 1968.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period March 17, 1968, through

March 23, 1968, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 204,600 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: March 14, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68–3281; Filed, Mar. 15, 1968; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C–1300]

PART 13—PROHIBITED TRADE PRACTICES

Magellan Corp. and Jack R. Cooper

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–80 Textile Fiber Products Identification Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–80 Textile Fiber Products Identification Act; § 13.1325 *Source or origin:* 13.1325–70 *Place:* 13.1325–70(c) Foreign, in general. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: 13.1852 *Formal regulatory and statutory requirements:* 13.1852–70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Magellan Corp. et al., New York City, N.Y., Docket C–1800, Feb. 26, 1968]

In the Matter of Magellan Corp. a Corporation, and Jack R. Cooper, Individually and as a Former Officer of Said Corporation

Consent order requiring a New York City firm of hosiery importers to cease misrepresenting the origin of its merchandise and misbranding its textile fiber products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Magellan Corp., a corporation, and its officers, and Jack R. Cooper, individually and formerly as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States of textile fiber products; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber products, which have been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Failing to affix labels to such textile fiber products showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

2. Setting forth on labels non-required information that interferes with, minimizes, detracts from, or conflicts with the required information.

It is further ordered, That respondents Magellan Corp., a corporation, and its officers, and Jack R. Cooper, individually and formerly as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of imported ladies' hosiery or other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting on labels the name of the country where such hosiery or other products were processed or manufactured.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: February 26, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68–3223; Filed, Mar. 15, 1968; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

MINERAL OIL

In F.R. Doc. 68–2892 appearing at page 4327 in the issue of Friday, March 8, 1968, the following correction should be made in § 121.2589(d)(3):

In I.F., the figure in the fourth line should read "280–400".

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER P—RECORDS

PART 293—CONTROL AND PROTECTION OF "FOR OFFICIAL USE ONLY" INFORMATION

The Assistant Secretary of Defense (Administration) approved the following on February 1, 1968:

Sec.
293.1 Purpose.
293.2 Applicability and Scope.
293.3 Uniform standards.

AUTHORITY: The provisions of this Part 293 issued under sec. 301, 552, Title 5, United States Code.

§ 293.1 Purpose.

This part provides uniform standards for the marking, control and protection of records and other documentary material which have been determined to be exempt from public disclosure and considered to be "For Official Use Only" in accordance with the provisions of Part 286 of this chapter.

§ 293.2 Applicability and Scope.

The provisions of this part apply to the Office of the Secretary of Defense, the military departments, Organization of the Joint Chiefs of Staff and all other Department of Defense agencies. It is applicable to unclassified records and documents in the custody of the Department of Defense determined to be exempt from public disclosure.

§ 293.3 Uniform Standards.

(a) *General.* (1) Unclassified records and documents which are authorized by Part 286 of this chapter to be withheld from general public disclosure and for a significant reason should not be given general circulation shall be considered "For Official Use Only".

(2) The marking or absence of the marking "For Official Use Only" on a record or document does not relieve any person of the responsibility for reviewing the record or document prior to public release. Requests for public release of documents which are exempt from public release under Part 286 of this chapter, whether or not marked "For Official Use Only", shall be referred to the originator of the document, or a higher authority, for determination as to whether the exemption is still applicable or appropriate and whether a significant purpose would be served by withholding the document from public release. However, publications, pamphlets, reprints, etc., which are already in general circulation, do not need to be reviewed.

(b) *Marking.* (1) An unclassified record or document considered "For Official Use Only" in accordance with paragraph (a)(1) of this section, will be marked

"For Official Use Only" when such marking is deemed necessary to ensure that all persons having access to the record are aware that it should not be publicly released and should not be handled indiscriminately. Such marking will be made at the bottom of the outer cover, if any, and at the bottom of the first and last page of the document.

(2) Individual folders, records, and files covering specific kinds of subject matter, such as personnel and medical files, bids and proposals, which are covered by rules and regulations specifying what may be released publicly, do not ordinarily require the "For Official Use Only" marking. In these cases the "For Official Use Only" marking will be used only when it is essential to ensure nondisclosure to the public of the information involved.

(3) Information contained in a technical document for which a determination has been made that a distribution statement under DoD Directive 5200.20, "Distribution Statements (Other than Security) on Technical Documents", March 29, 1965,[1] is appropriate shall not be marked "For Official Use Only".

(4) Individual pages in classified documents which contain both "For Official Use Only" and classified information shall be marked with the appropriate security classification. Any page or pages containing only "For Official Use Only" information shall be marked "For Official Use Only" at the bottom of the page. Whenever necessary to assure proper understanding, the "For Official Use Only" marking should also be applied to paragraphs which contain "For Official Use Only" information and do not contain classified information.

(5) On materials other than paper documents, such as photographs, films, tapes, etc., the term "For Official Use Only" shall be affixed in such a manner as to call attention to the nature of the information contained therein.

(6) When an unclassified cover or forwarding document does not itself contain "For Official Use Only" information, it shall contain an appropriate notation calling attention to the presence of "For Official Use Only" information in the accompanying document or record.

(7) When necessary, to assure proper protection, working papers, notes and preliminary drafts shall also be marked with the "For Official Use Only" designation.

(8) When the "For Official Use Only" designation is no longer applicable the marking shall be effaced or removed. For documents in file or storage, the effacement or removal of the marking shall be effected when the documents are removed from the file or storage for any purpose.

(c) *Dissemination.* Subject to additional restrictions which may be imposed by Executive order, statutory requirements, directives and regulations governing the release of specific types of informational material, such as technical material, personnel or medical records, "For Official Use Only" material may be disclosed as follows:

(1) This part does not place any restrictions on the dissemination and use of unclassified records or documents considered to be "For Official Use Only" between components and individuals of the DoD and DoD contractors and grantees when conducting official business for the DoD. "For Official Use Only" records or documents shall be handled in such a manner to preclude disclosure of the material to the public.

(2) Each holder of "For Official Use Only" information is authorized to disclose such information to persons in other departments and agencies of the Executive and Judicial branches when it is determined that information is required to carry out a Governmental function. The document or record shall be marked in accordance with paragraph (b)(1) of this section and the recipient advised that the information is not to be disclosed to the general public and of other special handling instructions.

(3) Release of "For Official Use Only" information to Members of Congress is governed by DoD Directive 5400.4, "Provision of Information to Congress", December 24, 1966[1] and to the General Accounting Office (GAO) by DoD Directive 7650.1, "General Accounting Office Comprehensive Audits", July 9, 1958.[1] On documents released to Members of Congress or GAO, the marking "For Official Use Only" should either be removed if a review of the material has resulted in the determination that the information no longer requires the marking or an explanation provided the recipient as to the significance of the term "For Official Use Only."

(4) The official responsible for making the original determination, or higher authority, may disclose or authorize the disclosure of "For Official Use Only" information to persons other than those specified in the preceding paragraphs. In such cases where a review of the record or document has resulted in a determination that the information no longer requires protection, the "For Official Use Only" designation shall be removed and all holders of the information notified insofar as practicable.

(d) *Safeguarding.* (1) Records and documentary material determined to be "For Official Use Only" shall not be left unattended on desks but will be placed in an out-of-sight location.

(2) At the close of business, "For Official Use Only" records and documents, whether marked or not, shall be stored so as to preclude unauthorized public disclosure. Filing such material with other unclassified records in unlocked files, desks, etc., will be adequate where normal U.S. Government or Government-contractor internal building security is provided during non-duty hours. Where such internal security control is not exercised, the material will be stored in locked rooms or receptacles; i.e., a file, desk, bookcase, etc.

(e) *Transmission.* (1) Documents or records containing "For Official Use Only" information shall be transported, between offices, in such a manner so as to preclude disclosure of the contents. First-class mail and ordinary parcel post may be used for the transmission of "For Official Use Only" information.

(2) Electrically transmitted messages containing "For Official Use Only" information shall contain the abbreviation "FOUO" at the beginning of the text. Such messages shall be transmitted by EFTO procedure for international transmissions where such capabilities are available.

(f) *Duration of "For Official Use Only" Marking.* In all cases, it is incumbent upon the originator, or higher authority, to terminate the "For Official Use Only" marking whenever circumstances dictate that the information no longer requires protection from disclosure. When the "For Official Use Only" marking is terminated by such action, all known holders shall be notified insofar as possible.

(g) *Disposal of "For Official Use Only" Marked Material.* When holders of nonrecord copies of "For Official Use Only" marked records or documents no longer have need to retain the material, the records or documents may be destroyed. Disposal will be accomplished by tearing the record or document into pieces to prevent disclosure of the contents and placing them in regular trash containers. Record copies of "For Official Use Only" records and documents will be disposed of in accordance with the disposal standards established by the Records Disposal Act of 1945 (44 U.S.C. 366 et seq.).

(h) *Unauthorized disclosure.* The unauthorized disclosure of "For Official Use Only" records or documents does not constitute an unauthorized disclosure of classified DoD information under the provisions of DoD Directive 510.50, "Investigation of and Disciplinary Action Connected with Unauthorized Disclosure of Classified Defense Information", April 29, 1966.[1] However, if an unauthorized disclosure occurs, appropriate administrative action shall be taken to fix responsibility for the disclosure and to apply appropriate corrective and/or disciplinary measures. The DoD activity having jurisdiction over the "For Official Use Only" information shall be informed of the unauthorized disclosure.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

MARCH 8, 1968.

[F.R. Doc. 68-3207; Filed, Mar. 15, 1968; 8:45 a.m.]

[1] Filed as part of original document. Copies available at Publications Counter, OASD(A), Room 3B200, Pentagon, Washington, D.C. 20301, or OXford 52167.

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Low Cost Homes

Subpart C—Eligibility Requirements—Moderate Income Projects

MISCELLANEOUS AMENDMENTS

1. Section 221.60 is amended by adding a new paragraph (e) to read as follows:

§ 221.60 Eligibility requirements for low income purchasers.

* * * * *

(e) A mortgagee shall not be required to pay an application fee or a commitment extension fee.

2. In Part 221, Subpart C, the table of contents is amended by redesignating the present § 221.506a as § 221.506b and adding a new § 221.506a as follows:

Sec.
221.506a Combined fee—rehabilitation sales mortgagor.
221.506b Transfer fee.

3. In Part 221, § 221.506a is redesignated at § 221.506b and a new § 221.506a is added to read as follows:

§ 221.506a Combined fee—rehabilitation sales mortgagor.

In the case of a rehabilitation sales mortgagor, the fees provided in § § 221.503 through 221.506 shall not be applicable. In lieu of such fees, a combined application, commitment, and inspection fee of $35 per dwelling unit shall be paid to the Commissioner when the application for insurance is filed.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715*l*)

Issued at Washington, D.C., March 11, 1968.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 68-3241; Filed, Mar. 15, 1968; 8:48 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER F—QUARANTINE INSPECTION, LICENSING

PART 73—BIOLOGICAL PRODUCTS

Mycoplasma, Poliomyelitis Vaccine, and Poliovirus Vaccine, Live, Oral; Standards

On July 4, 1967 a notice of rule making was published in the FEDERAL REGISTER (32 F.R. 9698–9703) proposing to amend Part 73 of the Public Health Service Regulations, by revising in several respects the specific standards of safety, purity, and potency for Poliomyelitis Vaccine and Poliovirus Vaccine, Live, Oral, and by prescribing the procedure for a test for the presence of *Mycoplasma* which will be required for each pool of virus propagated in living cell cultures.

Views and arguments respecting the proposed standards were invited to be submitted within 60 days after publication of the notice in the FEDERAL REGISTER, and notice was given of intention to make any amendments that were adopted effective 60 days after the date of their publication in the FEDERAL REGISTER.

After consideration of all comments submitted, the following amendment to Part 73 of the Public Health Service Regulations is hereby adopted to become effective 60 days after the date of publication in the FEDERAL REGISTER.

1. Add to the table of contents after "73.74 Purity." the following:

Sec.
73.74a Test for *Mycoplasma*.

2. Add a new § 73.74a to read as follows:

§ 73.74a Test for *Mycoplasma*.

Except as provided otherwise in this part, prior to clarification or filtration in the case of live virus vaccines produced from in-vitro living cell cultures, and prior to inactivation in the case of inactivated virus vaccines produced from such living cell cultures, each virus harvest pool and control fluid pool shall be tested for the presence of *Mycoplasma*, as follows:

Samples of the virus for this test shall be stored either (1) between 2° and 8° C. for no longer than 24 hours, or (2) at −20° C. or lower if stored for longer than 24 hours. The test shall be performed on samples of the viral harvest pool and on control fluid pool obtained at the time of viral harvest, as follows: No less than 2.0 ml. of each sample shall be inoculated in evenly distributed amounts over the surface of no less than 10 plates of at least two agar media. No less than 1.0 ml. of sample shall be inoculated into each of four tubes containing 10 ml. of a semisolid broth medium. The media shall be such as have been shown to be capable of detecting known *Mycoplasma* and each test shall include control cultures of at least two known strains of *Mycoplasma*, one of which must be *M. pneumoniae*. One half of the plates and two tubes of broth shall be incubated aerobically at 36° C. ±1° C. and the remaining plates and tubes shall be incubated anaerobically at 36° C. ±1° C. in an environment of 5–10 percent CO_2 in N_2. Aerobic incubation shall be for a period of no less than 14 days and the broth in the two tubes shall be tested after 3 days and 14 days, at which times 0.5 ml. of broth from each of the two tubes shall be combined and subinoculated on to no less than 4 additional plates and incubated aerobically. Anaerobic incubation shall be for no less than 14 days and the broth in the two tubes shall be tested after 3 days and 14 days, at which times 0.5 ml. of broth from each of the two tubes shall be combined and subinoculated on to no less than four additional plates and incubated anaerobically. All inoculated plates shall be incubated for no less than 14 days, at which time observation for growth of *Mycoplasma* shall be made at a magnification of no less than 300×. If the Dienes Methylene Blue-Azure dye or an equivalent staining procedure is used, no less than a one square cm. plug of the agar shall be excised from the inoculated area and examined for the presence of *Mycoplasma*. The presence of the *Mycoplasma* shall be determined by comparison of the growth obtained from the test samples with that of the control cultures, with respect to typical colonial and microscopic morphology. The virus pool is satisfactory for vaccine manufacture if none of the tests on the samples show evidence of the presence of *Mycoplasma*.

3. Revise §§ 73.100, 73.101, 73.102, 73.103, 73.104, and 73.105 to read as follows:

ADDITIONAL STANDARDS: POLIOMYELITIS VACCINE

§ 73.100 The product.

(a) *Proper name and definition.* The proper name of this product shall be "Poliomyelitis Vaccine", which shall consist of an aqueous preparation of poliovirus types 1, 2, and 3, grown in monkey kidney tissue cultures, inactivated by a suitable method.

(b) *Strains of virus.* Strains of poliovirus used in the manufacture of vaccine shall be identified by historical records, infectivity tests and immunological methods. Any strain of virus may be used that produces a vaccine meeting the requirements of §§ 73.101, 73.102, and 73.103, but the Surgeon General may from time to time prohibit the use of any specific strain whenever he finds that it is practicable to use another strain of the same type that is potentially less pathogenic to man and that will produce a vaccine of at least equivalent safety and potency.

(c) *Monkeys; species permissible as source of kidney tissue.* Only Macaca or Cercopithecus monkeys, or a species found by the Director, Division of Biologics Standards, to be equally suitable, which have met all requirements of §§ 73.36(f)(2) and 73.36(f)(8) shall be used as a source of kidney tissue for the manufacture of Poliomyelitis Vaccine.

§ 73.101 Manufacture.

(a) *Cultivation of virus.* Virus for manufacturing vaccine shall be grown with aseptic techniques in monkey kidney cell cultures. Suitable antibiotics in the minimum concentration required may be used (§ 73.78(c)).

(b) *Filtration.* Within 72 hours preceding the beginning of inactivation, the virus suspensions shall be filtered or clarified by a method having an efficiency equivalent to that of filtration through an S1 Seitz type filter pad.

(c) *Virus titer.* The 50 percent endpoint ($TCID_{50}$) of the virus fluids after filtration shall be $10^{0.5}$ or greater as confirmed by comparison in a simultaneous test (using groups of 10 tubes at 1 log steps or groups of 5 tubes at 0.5 log steps) with a reference virus distributed by the Division of Biologics Standards. Acceptable titrations of the reference virus shall not vary more than ± 0.5 $\log_{10}$ from its labeled titer using 0.5 milliliter inoculum in tissue culture.

(d) *Inactivation of virus.* The virus shall be inactivated, as evidenced by the

tests prescribed in § 73.102, through the use of an agent or method which has been demonstrated to be consistently effective in the hands of the manufacturer in inactivating a series of lots of poliovirus. If formaldehyde is used for inactivation, it shall be added to the virus suspension to a final concentration of U.S.P. solution of formaldehyde of 1:4000, and the inactivation conducted under controlled conditions of pH and time, at a temperature of 36° to 38° C. Three or more virus titers, suitably spaced to indicate rate of inactivation, shall be determined during the inactivation process. Filtration equivalent to that described in paragraph (b) of this section shall be performed after the estimated baseline time (time at which the 50 percent end-point reaches one tissue culture infective dose per milliliter), but prior to sampling for the first single strain tissue culture test required in § 73.102(b), except that this filtration may be omitted for strains of a virulence for monkeys equal to or less than that of the MEF–1 Type 2 strain of poliovirus.

(e) *Additional processing.* Single strain or trivalent pools that have failed to pass safety tests prescribed in § 73.102 (b), (c), or (e) may be treated as follows:

(1) Filtration or clarification by a method having an efficiency equivalent to that of filtration through an S1 Seitz type filter pad.

(2) Negative tests performed as described in § 73.102 (b) and (c) must be obtained on each of two successive samples taken so as to be separated by an interval of at least 3 days while the material is being subjected to treatment with 1: 4000 U.S.P. formaldehyde solution and heat at 36° to 38° C. The first sample may be taken before incubation is begun and the second sample shall be taken after the incubation of at least 3 days is completed. For both single strain and trivalent pools the volume tested for each tissue culture safety test shall be equivalent to at least 1,500 human doses.

(3) Pools which are positive following such additional processing shall not be used for the manufacture of poliomyelitis vaccine.

(f) *Supplemental inactivation.* Supplemental inactivation employing a method capable of reducing the titer of a similarly produced virus suspension by a factor of 10^{-6} may be applied at any point after the filtration step described in paragraph (d) or (e) (1) of this section.

§ 73.102 Tests for safety.

In the manufacture of the product, the following tests relating to safety shall be conducted by the manufacturer.

(a) *The virus pool—tests prior to inactivation*—(1) *B virus and Mycobacterium tuberculosis.* Prior to inactivation, each individual virus harvest or virus pool shall be tested for the presence of B virus and Mycobacterium tuberculosis.

(2) *SV–40.* Prior to inactivation, the material shall be tested for the presence of SV–40 as follows (or by any other test producing equally reliable results): A sample of at least 5 ml. from the virus harvest or virus pool shall be neutralized by high titer specific antiserum of other than primate origin. A similar sample from the pool of tissue culture fluids from control vessels representing the tissue from which the virus was prepared may be tested in place of the virus sample. The sample shall be tested in primary cercopithecus tissue cultures or in a cell line demonstrated as at least equally susceptible to SV–40. Each tissue culture system shall be observed for at least 14 days and at the end of the observation period at least one subculture of fluid shall be made in the same tissue culture system and the subculture shall be observed for at least 14 days.

(3) *Test results.* The virus harvest or virus pool is satisfactory for poliomyelitis vaccine only if the tests produce no evidence of the presence of B virus, Mycobacterium tuberculosis or SV–40.

(b) *Single strain pool tissue culture tests for poliovirus.* (1) Before pooling to make the final poliomyelitis vaccine, during inactivation at 36° to 38° C., two samples of each monovalent bulk strain pool shall be tested for the presence of virus by tissue culture methods, the second sample to be taken at least 3 days after taking the first sample.

(2) Each sample shall be no smaller than the equivalent of 1,500 human doses and shall be subjected to the complete testing process and each test shall be performed on a different monkey kidney tissue culture cell preparation. The test sample for one of these tests may be used also for the test prescribed in § 73.102(f), provided the cell cultures used have been demonstrated as fully susceptible to SV–40 and poliovirus. Each sample shall be inoculated into five or more tissue culture bottles of a suitable capacity, the ratio of the vaccine to the nutrient fluid being approximately 1:1 to 1:3, and the area of the surface growth of cells being at least 3 square centimeters per milliliter of sample. The tissue culture bottles shall be observed for at least 14 days.

(3) A first subculture shall be made at the end of 7 days from date of inoculation by planting at least 2 percent of the volume from each original bottle into suitable tissue culture vessels, followed by refeeding.

(4) A second subculture shall be made from each original bottle in the same manner at the end of 14 days from date of inoculation.

(5) Each of the first and second subcultures shall be observed for at least 7 days.

(6) If cytopathogenic effects occur either in the original bottles of the two tests or in the subcultures from them, or if cellular degeneration appears in the original bottles or in the subcultures before degeneration occurs in uninoculated cultures, the pool shall be held until the matter is resolved. If active poliovirus is indicated, the strain pool shall not be used for inclusion in a final vaccine unless effectively reprocessed as described in § 73.101(e). If other viruses are present, the pool shall not be used unless it can be demonstrated that such viruses have originated from other than the strain pool being tested.

(c) *Trivalent vaccine pool tissue culture test.* No less than 1,500 human doses of the trivalent vaccine pool, without final preservative, prepared by pooling the three type pools, each of which has passed all tests prescribed in paragraph (b) of this section, shall be subjected to the complete tissue culture test prescribed in such paragraph (b) in at least two approximately equal tests in separate monkey kidney tissue culture preparations. This test sample may be used also for the test prescribed in § 73.102(f) provided the cell cultures used have been demonstrated as fully susceptible to SV–40 and poliovirus.

(d) *Trivalent vaccine pool lymphocytic choriomeningitis test.* The final vaccine shall be shown to be free of lymphocytic choriomeningitis virus by intracerebral inoculation of the maximum volume tolerated into 10 or more mice which shall be observed daily for at least 21 days and a negative test shall not be valid unless at least eight mice survive for this period.

(e) *Test in monkeys for active virus.* (1) Vaccine from final containers selected at random from each filling of each lot shall be pooled to provide a test sample of at least 400 milliliters representing the various fillings. An equal volume of bulk vaccine may be substituted for test samples from each filling lot provided the procedure has been approved by the Director, Division of Biologics Standards.

(2) A total of not less than 20 monkeys shall be inoculated with the test sample. A preinjection serum sample from each monkey must not contain neutralizing antibody against the three poliovirus types detectable in a dilution of 1:4 when tested against not more than 1,000 $TCID_{50}$ of virus. At least 80 percent of the test animals representing each filling or each bulk sample must survive the test period without significant weight loss, except that if at least 60 percent of the test animals survive the first 48 hours after injection, those animals which do not survive this 48-hour test period may be replaced by an equal number of test animals. At least 80 percent of the animals used in the test must show microscopic evidence of inoculation trauma in the lumbar region of the spinal cord, and gross or microscopic evidence of inoculation trauma in the thalamic area. If less than 60 percent of the test animals survive the first 48 hours, or if less than 80 percent of the animals fail to meet the other criteria prescribed in this section, the test must be repeated.

(3) Vaccines shall be injected by combined intracerebral, intraspinal, , and intramuscular routes into Macaca or Cercopithecus monkeys or a species found by the Director, Division of Biologics Standards, to be equally suitable for the purpose. The animals shall be in overt good health and injected under deep barbiturate anesthesia. The intracerebral injection shall consist of 0.5 milliliter of test sample into the thalamic region of each hemisphere. The intraspinal injection shall consist of 0.5 milliliter of concentrated test sample into the lumbar spinal cord enlargement, the

test sample to be concentrated 100 fold in the ultracentrifuge by a method demonstrated to recover at least 90 percent of the virus particles in the sediment after it has been resuspended in the same lot of unconcentrated test sample. The intramuscular injection shall consist of 1.0 milliliter of test sample into the right leg muscles. At the same time, 200 milligrams of cortisone acetate shall be injected into the left leg muscles, and 1.0 milliliter of procaine pencillin (300,000 units) into the right arm muscles. The monkeys shall be observed for 17 to 19 days and signs suggestive of poliomyelitis shall be recorded.

(4) At the end of the observation period, samples of cerebral cortex and of cervical and lumbar spinal cord enlargements shall be taken for virus recovery and identification. Histological sections shall be prepared from both spinal cord enlargements and examined.

(5) Doubtful histopathological findings necessitate (i) examination of a sample of sections from several regions of the brain in question, and (ii) attempts at virus recovery from the nervous tissues previously removed from the animal. The test results must be negative. Test results are negative if the histological and other studies leave no doubt that poliomyelitis infection did not occur.

(f) *Tissue culture safety test for SV–40.* At least 500 human doses of each monovalent or trivalent pool of vaccine shall be tested for the presence of SV–40 using primary cercopithecus monkey tissue cultures or using a cell line demonstrated as at least equally susceptible to SV–40. The test shall be conducted as described in § 73.102(b), except for the volume of test sample and except that one subculture of at least 2 percent of the volume of the fluids shall be made no less than 14 days from the date of inoculation and examined for at least 14 days from the date of subinoculation. The vaccine is satisfactory only if there is no evidence of the presence of SV–40 in any of the cultures or subcultures.

§ 73.103 Potency test.

Each lot of vaccine shall be subjected to a potency test which permits an estimation of the antigenic capacity of the vaccine. This is done by means of a simultaneous comparison of the serum antibody levels produced in monkeys by the vaccine under test with the antibody level of the reference serum distributed by the Division of Biologics Standards. The potency test shall be performed on samples taken after all final processing of the product has been completed, including addition of preservative, except that when the final product contains material having an adjuvant effect an additional test shall be performed with a sample taken before the addition of the adjuvant material. The volume of the test sample for the additional test shall be adjusted to the equivalent volume of poliomyelitis vaccine in the final product. The test shall be conducted as follows:

(a) *Inoculation of monkeys.* A group of 12 or more Macaca monkeys, or a species found by the Director, Division of Biologics Standards, to be equally suitable for the purpose, shall be used. Animals shall weigh between 4 and 8 pounds and shall be in overt good health. Animals that become ill and remain ill during the course of immunization shall be excluded from the group. The test shall not be valid unless at least 10 animals survive the test period and their preinoculation serum antibody levels are as prescribed in paragraph (d) of this section. The test vaccine shall be given intramuscularly to each monkey in 3 doses at 7-day intervals, each dose to be the recommended individual human dose. Only undiluted vaccine shall be used.

(b) *Serum samples.* A blood sample shall be taken from each monkey prior to vaccination and then again 7 days after the last injection. Serum shall be separated aseptically, and stored under refrigeration.

(c) *Serum-virus neutralization test.* The titers of individual monkey serums shall be determined in comparison with the reference serum in tests designed to include controls for all the variables of significance including the following:

(1) Serum toxicity control;

(2) Cell control and cell titration;

(3) Virus titration control (at least 4 tubes for each dilution at 0.5 log steps); and

(4) Serum controls using type-specific serums to identify the type of virus used in the neutralization test.

(d) *Interpretation of the test.* Animals showing preinoculation titers of 1:4 or over when tested against not more than 1,000 $TCID_{50}$ of virus, shall be excluded from the test. The geometric mean titer of antibody induced in the monkeys surviving the course of immunization and bleeding, shall be calculated. A comparison of the value so obtained shall be made with the value for the reference serum that was tested simultaneously and expressed as the ratio between the geometric mean titer value of the serums under test and the mean titer value of the reference serum.

(e) *Potency requirements.* A lot of vaccine tested against the reference serum shall be satisfactory if the geometric mean value of the group of individual monkey serums representing the lot of vaccine tested is at least 1.29 times the mean value of the reference serum for Type 1, at least 1.13 times for Type 2, and at least 0.72 times for Type 3.

§ 73.104 General requirements.

(a) *Consistency of manufacture.* No lot of final vaccine shall be released unless it is one of a series of five consecutive lots produced by the same manufacturing process, all of which have shown negative results with respect to all tests for the presence of live poliovirus, and unless each of the monovalent pools of which a polyvalent final vaccine is composed similarly is one of a series of five consecutive monovalent pools of the same type of inactivated poliovirus, all of which have shown negative results in all tests for the presence of live poliovirus.

(b) *Dose.* These additional standards are based on a human dose of 1.0 milliliter for a single injection and a total human immunizing dose of three injections of 1.0 milliliter given at appropriate intervals.

(c) *Samples and protocols.* For each lot of vaccine, the following material shall be submitted to the Director, Division of Biologics Standards, National Institutes of Health, Bethesda, Md. 20014:

(1) A 2,500 milliliter sample, neutralized, not dialyzed, and without final preservative, taken at the latest possible stage of manufacturing before the addition of such preservative.

(2) A 200 milliliter bulk sample of the final vaccine containing final preservative.

(3) A total of not less than a 200 milliliter sample of the final vaccine in final labeled containers.

(4) A protocol which consists of a summary of the history of manufacture of each lot including all results of each test for which test results are requested by the Director, Division of Biologics Standards.

§ 73.105 Equivalent methods.

Modification of any particular manufacturing method or procedure or the conditions under which it is conducted as set forth in the additional standards relating to poliomyelitis vaccine (§§ 73.100 to 73.104, inclusive) shall be permitted whenever the manufacturer presents evidence to demonstrate that such modification will provide equal or greater assurances of the safety, purity and potency of the vaccine as the assurances provided by such standards, and the Surgeon General so finds and makes such finding a matter of official record.

4. Revise §§ 73.110, 73.111, 73.112, 73.113, 73.114, 73.115, 73.116, 73.117, and 73.118 to read as follows:

ADDITIONAL STANDARDS: POLIOVIRUS VACCINE, LIVE, ORAL

§ 73.110 The product.

(a) *Proper name and definition.* The proper name of this product shall be "Poliovirus Vaccine, Live, Oral", followed by a designation of the form in which the vaccine is distributed by the manufacturer. The vaccine shall be a preparation of one or more live, attenuated polioviruses grown in monkey kidney cell cultures, prepared in a form suitable for oral administration.

(b) *Criteria for acceptable strains and acceptable seed virus.* (1) Strains of attenuated poliovirus Types 1, 2, and 3 used in the manufacture of the vaccine shall be identified by: (i) Historical records including origin and techniques of attenuation, (ii) antigenic properties, (iii) neurovirulence for monkeys, (iv) pathogenicity for other animals and tissue cultures of various cell types, and (v) established virus markers including rct/40, d, and other markers shown to be associated with strain virulence.

(2) Poliovirus strains shall not be used in the manufacture of Poliovirus Vaccine, Live, Oral, unless, (i) data are submitted to the Surgeon General which establish that each such strain is free of harmful effect upon administration in the recommended dosage to at least 1 million people susceptible to poliomyelitis, under circumstances where adequate epidemiological surveillance of neurological illness has been maintained, and, (ii) each such strain produces a vaccine meeting the safety and potency requirements of §§ 73.114(b), 73.115, and 73.117. Susceptibility shall be demonstrated by blood tests, stool examinations and other appropriate methods.

(3) Each seed virus used in manufacture shall be demonstrated to be free of extraneous microbial agents.

(4) No seed virus shall be used for the manufacture of poliovirus vaccine unless its neurovirulence in Macaca monkeys is no greater than that of the Reference Attenuated Poliovirus distributed by the Division of Biologics Standards. The neurovirulence of the seed virus shall be demonstrated by the following tests to be performed by the manufacturer: (i) The test prescribed in § 73.114(b)(1) using seed virus as test material in place of monovalent virus pool material and (ii) the following comparative intramuscular neurovirulence test: Each of at least 10 monkeys shall be injected with a total of 5.0 ml. of the seed virus under test in one or more proximate locations of either a gluteus or gastrocnemius muscle. Similar injections shall be made in another group of 10 monkeys using the Reference Attenuated Poliovirus. Each monkey shall be injected intramuscularly with no less than $10^{7.7}$ $TCID_{50}$ of viral inoculum. All monkeys shall be observed for 17 to 21 days and a comparative evaluation shall be made of the evidence of neurovirulence of the virus under test and the Reference Attenuated Poliovirus, as prescribed in § 73.114(b)(1)(iii).

(5) Subsequent and identical neurovirulence tests shall be performed in monkeys whenever there is evidence of a change in the neurovirulence of the production virus, upon introduction of a new production seed lot, and as often as necessary otherwise to establish to the satisfaction of the Surgeon General that the seed virus strains for vaccine manufacture have maintained their neurovirulence properties as set forth in § 73.114(b)(1)(iii).

(6) The Surgeon General may, from time to time, prohibit the use of a specified strain whenever he finds it is practicable to use another strain of the same type which is potentially less pathogenic for man, and that it will produce a vaccine of greater safety and of at least equivalent potency.

§ 73.111 Reference strains.

The following reference viruses shall be obtained from the Division of Biologics Standards.

Reference Poliovirus, Live, Attenuated, Type 1, as a control for correlation of virus titers in tissue cultures.

Reference Poliovirus, Live, Attenuated, Type 2, as a control for correlation of virus titers in tissue cultures.

Reference Poliovirus, Live, Attenuated, Type 3, as a control for correlation of virus titers in tissue cultures.

Reference Attenuated Poliovirus, Type 1, as a control for correlation of monkey neurovirulence tests.

§ 73.112 Animal source; quarantine; personnel.

(a) *Monkeys—(1) Species permissible as source of kidney tissue.* Only Macaca or Cercopithecus monkeys, or a species found by the Director, Division of Biologics Standards, to be equally suitable, which have met all the requirements of §§ 73.36(f)(2) and 73.36(f)(8) shall be used as the source of kidney tissue for the manufacture of Poliovirus Vaccine, Live, Oral.

(2) *Experimental and test monkeys.* Monkeys that have been used previously for experimental or test purposes shall not be used as a source of kidney tissue in the processing of vaccine.

(3) *Quarantine; additional requirements.* Excluding deaths from accidents or causes not due to infectious diseases, if the death rate of any group of monkeys being conditioned in accordance with § 73.36(f)(2) exceeds 5 percent per month, the remaining monkeys may be used for the manufacture of Poliovirus Vaccine only if they survive a new quarantine period.

(b) *Personnel.* All possible steps shall be taken to insure that personnel involved in processing the vaccine are immune to poliovirus in order to minimize the possibility that they may become excretors of poliovirus.

§ 73.113 Manufacture.

(a) *Primary cell cultures.* Only primary monkey kidney tissue cultures may be used in the manufacture of poliovirus vaccine. Continuous line cells shall not be introduced or propagated in vaccine manufacturing areas.

(b) *Virus passages.* Virus in the final vaccine shall represent no more than five tissue culture passages from the original strain, each of which shall have met the criteria of acceptability prescribed in § 73.110(b).

(c) *Identification of processed kidneys.* The kidneys from each monkey shall be processed and the viral fluid resulting therefrom shall be identified as a separate monovalent harvest and kept separately from other monovalent harvests until all samples for the tests prescribed in the following paragraph relating to that pair of kidneys shall have been withdrawn from the harvest.

(d) *Monkey kidney tissue production vessels prior to virus inoculation.* Prior to inoculation with the seed virus, the tissue culture growth in vessels representing each pair of kidneys shall be examined microscopically for evidence of cell degeneration at least 3 days after complete formation of the tissue sheet. If such evidence is observed, the tissue cultures from that pair of kidneys shall not be used for poliovirus vaccine manufacture. To test the tissue found free of cell degeneration for further evidence of freedom from demonstrable viable microbial agents, the fluid shall be removed from the cell cultures immediately prior to virus inoculation and tested in each of four culture systems; (1) Macaca monkey kidney cells, (2) Cercopithecus monkey kidney cells, (3) primary rabbit kidney cells, and (4) human cells from one of the systems described in § 73.114(a)(6), in the following manner: Aliquots of fluid from each vessel shall be pooled and at least 10 ml. of the pool inoculated into each system, with ratios of inoculum to medium being 1: 1 to 1: 3 and with the area of surface growth of cells at least 3 square centimeters per milliliter of test inoculum. The cultures shall be observed for at least 14 days. At the end of the observation period, at least one subculture of fluid from the Cercopithecus monkey kidney cell cultures shall be made in the same tissue culture system and the subculture shall be observed for at least 14 days. If these tests indicate the presence in the tissue culture preparation of any viable microbial agent the tissue cultures so implicated shall not be used for poliovirus vaccine manufacture.

(e) *Control vessels.* Before inoculation with seed virus, sufficient tissue culture vessels to represent at least 25 percent of the cell suspension from each pair of kidneys shall be set aside as controls. The control vessels shall be examined microscopically for cell degeneration for an additional 14 days. The cell fluids from such control vessels shall be tested, both at the time of virus harvest and at the end of the additional observation period, by the same method prescribed for testing of fluids in paragraph (d) of this section. In addition, the cell sheet in each control vessel shall be examined for presence of hemadsorption viruses by the addition of guinea pig red blood cells.

(f) *Virus harvest; interpretation of test results.* If the tissue culture in less than 80 percent of the control vessels is not free of cell degeneration at the end of the observation period, no tissue from the kidneys implicated shall be used for poliovirus vaccine manufacture. If the test results of the control vessels indicate the presence of any extraneous agent at the time of virus harvest, the entire virus harvest from that tissue culture preparation shall not be used for poliovirus vaccine manufacture. If any of the tests or observations described in paragraph (d) or (e) of this section demonstrate the presence in the tissue culture preparation of any microbial agent known to be capable of producing human disease, the virus grown in such tissue culture preparation shall not be used for poliovirus vaccine manufacture.

(g) *Kidney tissue production vessels after virus inoculation—temperature.* After virus inoculation, production vessels shall be maintained at a temperature not to exceed 35.0° C. during the course of virus propagation.

(h) *Kidney tissue virus harvests.* Virus harvested from vessels containing the kidney tissue from one monkey may constitute a monovalent virus pool and be tested separately, or viral harvests from

more than one pair of kidneys may be combined, identified and tested as a monovalent pool. Each pool shall be mixed thoroughly and samples withdrawn for testing as prescribed in § 73.114(a). The samples shall be withdrawn immediately after harvesting and prior to further processing, except that samples of test materials frozen immediately after harvesting and maintained at —60° C. or below, may be tested upon thawing, provided no more than one freeze-thaw cycle is employed.

(i) *Filtration.* After harvesting and removal of samples for the safety tests prescribed in § 73.114(a), the pool shall be passed through sterile filters having a sufficiently small porosity to assure bacteriologically sterile filtrates.

§ 73.114 Test for safety.

(a) *Tests prior to filtration.* Monovalent virus pools shall contain no demonstrable viable microbial agent other than the attenuated live polioviruses intended. The vaccine shall be tested for the absence of adventitious and other infectious agents including polioviruses of other types or strains, simian agents, Mycobacterium tuberculosis, pox viruses, lymphocytic choriomeningitis virus, Echo viruses, Coxsackie viruses, and B virus. Testing of each monovalent pool shall include the following procedures:

(1) *Inoculation of rabbits.* A minimum of 100 ml. of each monovalent virus pool shall be tested by inoculation into at least 10 healthy rabbits, each weighing 1,500–2,500 grams. Each rabbit shall be injected intradermally in multiple sites, with a total of 1.0 ml. and subcutaneously with 9.0 ml., of the viral pool, and the animals observed for at least 3 weeks. Each rabbit that dies after the first 24 hours of the test or is sacrificed because of illness shall be necropsied and the brain and organs removed and examined. The virus pool may be used for poliovirus vaccine only if at least 80 percent of the rabbits remain healthy and survive the entire period and if all the rabbits used in the test fail to show lesions of any kind at the sites of inoculation and fail to show evidence of B virus or any other viral infection.

(2) *Inoculation of adult mice.* Each of at least 20 adult mice, each weighing 15–20 grams, shall be inoculated intraperitoneally with 0.5 ml. and intracerebrally with 0.03 ml. of each monovalent virus pool to be tested. The mice shall be observed for 21 days. Each mouse that dies after the first 24 hours of the test, or is sacrificed because of illness, shall be necropsied and examined for evidence of viral infection by direct observation and subinoculation of appropriate tissue into at least five additional mice which shall be observed for 21 days. The monovalent virus pool may be used for poliovirus vaccine only if at least 80 percent of the mice remain healthy and survive the entire period and if all the mice used in the test fail to show evidence of lymphocytic choriomeningitis virus or other viral infection.

(3) *Inoculation of suckling mice.* Each of at least 20 suckling mice less than 24 hours old, shall be inoculated intracerebrally with 0.01 ml. and intraperitoneally with 0.1 ml. of the monovalent virus pool to be tested. The mice shall be observed daily for at least 14 days. Each mouse that dies after the first 24 hours of the test, or is sacrificed because of illness, shall be necropsied and all areas examined for evidence of viral infection. Such examination shall include subinoculation of appropriate tissue suspensions into an additional group of at least five suckling mice by the intracerebral and intraperitoneal routes and observed daily for 14 days. In addition, a blind passage shall be made of a single pool of the emulsified tissue (minus skin and viscera) of all mice surviving the original 14-day test. The virus pool under test is satisfactory for poliovirus vaccine only if at least 80 percent of the mice remain healthy and survive the entire period and if all the mice used in the test fail to show evidence of Coxsackie or other viral infection.

(4) *Inoculation of guinea pigs.* Each of at least five guinea pigs, each weighing 350–450 grams, shall be inoculated intracerebrally with 0.1 ml. and intraperitoneally with 5.0 ml. of the monovalent virus pool to be tested. The animals shall be observed for at least 42 days and daily rectal temperatures recorded for the last 3 weeks of the test. Each animal that dies after the first 24 hours of the test, or is sacrificed because of illness, shall be necropsied and its tissues shall be examined both microscopically and culturally for evidence of tubercle bacilli, and by passage of tissue suspensions into at least three other guinea pigs by the intracerebral and intraperitoneal routes of inoculation for evidence of viral infection. If clinical signs suggest infection with lymphocytic choriomeningitis virus, serological tests shall be performed on blood samples of the test guinea pigs to confirm the clinical observations. Animals that die or are sacrificed during the first 3 weeks after inoculation with poliovirus shall be examined for infection with lymphocytic choriomeningitis virus. Animals that die in the final 3 weeks shall be examined both microscopically and culturally for Mycobacterium tuberculosis. The monovalent virus pool is satisfactory for poliovirus vaccine only if at least 80 percent of all animals remain healthy and survive the observation period and if all the animals used in the test fail to show evidence of infection with Mycobacterium tuberculosis, or any viral infection.

(5) *Inoculation of monkey kidney tissue cultures.* At least 500 doses or 50 ml., whichever represents a greater volume of virus, of each undiluted monovalent virus pool, or in equal proportions from individual harvests or subpools, shall be tested for simiam viruses in Macaca, and the same volume in Cercopithecus, monkey kidney tissue cultures, in a ratio of inoculum to medium of from 1:1 to 1:3, and with the area of surface growth of cells at least 3 square centimeters per milliliter of test inoculum, after neutralization of the poliovirus by high titer specific antiserum of nonprimate origin. The immunizing antigens used for the preparation of antisera shall be grown in a human tissue culture cell line. The cultures shall be observed for no less than 14 days. At the end of the observation period at least one subculture of fluid from the Cercopithecus kidney cell culture shall be made in the same tissue culture system and the subculture shall be observed for at least 14 days. The monovalent virus pool is satisfactory for poliovirus vaccine only if all the tissue cultures fail to show evidence of the presence of simian viruses or any other viral infection.

(6) *Inoculation of human cell cultures.* At least 500 doses or 50 ml., whichever represents a greater volume of virus, taken from either a single monovalent pool, or in equal proportions from individual harvests or subpools, shall be tested in a ratio of inoculum to medium of 1:1 to 1:3, and with the area of surface growth of cells at least 3 square centimeters per milliliter of test inoculum, for the presence of measles virus in either (i) primary human amnion cells, (ii) primary human kidney cells, or (iii) any other cell system of comparable susceptibility to unmodified measles virus. The test material shall be neutralized with poliovirus antiserum of other than primate origin if the tissue culture cell system used is susceptible to poliovirus. The culture shall be observed for no less than 14 days. The monovalent virus pool is satisfactory for poliovirus vaccine only if all tissue cultures fail to show evidence of the presence of measles virus or any other viral infection.

(7) *Inoculation of rabbit kidney tissue cultures.* At least 500 ml. of virus pool taken from either a single monovalent pool, or in equal proportions from individual harvests or subpools, shall be tested in a ratio of inoculum to medium of from 1:1 to 1:3, and with the area of surface growth of cells at least 3 square centimeters per milliliter of test inoculum, in primary rabbit kidney tissue culture preparations for evidence of B virus. The culture shall be observed for no less than 14 days. The monovalent virus pool is satisfactory for poliovirus vaccine only if all tissue cultures fail to show evidence of the presence of B virus.

(b) *Tests after filtration.* The following tests relating to safety shall be performed after the filtration process, on each monovalent virus pool or on each multiple thereof (monovalent lot):

(1) *Neurovirulence in monkeys.* Each monovalent virus pool or monovalent lot shall be tested in comparison with the Reference Attenuated Poliovirus for neurovirulence in Macaca mulatta (rhesus) monkeys by both the intrathalamic and intraspinal routes of injection. A preinjection serum sample obtained from each monkey must be shown to contain no neutralizing antibody in a dilution of 1:4 when tested against no more than 1,000 $TCID_{50}$ of each of the three types of poliovirus. The neurovirulence tests are not valid unless the sample contains at least $10^{7.0}$ $TCID_{50}$ per ml. when titrated in comparison with the Reference Poliovirus, Live, Attenuated of the appropriate type. All monkeys shall

be observed for 17 to 21 days, under the supervision of a qualified pathologist, physician or veterinarian, and any evidence of physical abnormalities indicative of poliomyelitis or other viral infections shall be recorded.

(i) *Intrathalamic inoculation.* Each of at least 30 monkeys shall be injected intracerebrally by placing 0.5 ml. of virus pool material into the thalamic region of each hemisphere. Comparative evaluations shall be made with the virus pool under test and the Reference Attenuated Poliovirus. Only monkeys that show evidence of inoculation into the thalamus shall be considered as having been injected satisfactorily. If on examination there is evidence of failure to inoculate virus pool material into the thalamus, additional monkeys may be inoculated in order to reestablish the minimum number of 30 monkeys for the test.

(ii) *Intraspinal inoculation.* Each of a group of at least five monkeys shall be injected intraspinally with 0.2 ml. of virus pool material containing at least $10^{7.0}$ $TCID_{50}$ per ml. and each monkey in additional groups of at least five monkeys shall be injected intraspinally with 0.2 ml. of a 10-fold dilution of the virus pool ml of a 1:1,000 and 1:10,000 dilution respectively, of the same virus pool material. Comparative evaluations shall be made with the virus pool under test and the reference material. Only monkeys that show microscopic evidence of inoculation into the gray matter of the lumbar cord shall be considered as having been injected satisfactorily. If on examination there is evidence of failure to inoculate intraspinally, additional animals may be inoculated in order to reestablish the minimum number of five animals per group.

(iii) *Determination of neurovirulence.* At the conclusion of the observation period comparative histopathological examinations shall be made of the lumbar cord, cervical cord, lower medulla, upper medulla, mesencephalon and motor cortex of each monkey in the groups injected with virus under test and those injected with the Reference Attenuated Poliovirus, except that for animals dying during the test period, these examinations shall be made immediately after death. If at least 60 percent of the animals of a group survive 48 hours after inoculation, those animals which did not survive may be replaced by an equal number of animals tested as prescribed in paragraph (b)(1) of this section. If less than 60 percent of the animals of a group survive 48 hours after inoculation, the test must be repeated. At the conclusion of the observation the animals shall be examined to ascertain whether the distribution and histological nature of the lesions are characteristics of poliovirus infection. A comparative evaluation shall be made of the evidence of neurovirulence of the virus under test and the Reference Attenuated Poliovirus with respect to (a) the number of animals showing lesions characteristic of poliovirus infection, (b) the number of animals showing lesions other than those characteristic of poliovirus infection, (c) the severity of the lesions, (d) the degree of dissemination of the lesions, and (e) the rate of occurrence of paralysis not attributable to the mechanical injury resulting from inoculation trauma. The virus pool under test is satisfactory for poliovirus vaccine only if at least 80 percent of the animals in each group survive the observation period and if a comparative analysis of the test results demonstrate that the neurovirulence of the test virus pool does not exceed that of the Reference Attenuated Poliovirus.

(iv) *Test with Reference Attenuated Poliovirus.* The Reference Attenuated Poliovirus shall be tested as prescribed in § 73.114(b)(1) (i) and (ii) at least once for every 10 production lots of vaccine, except that the interval between the test of the reference and the test of any lot of vaccine shall not be greater than 3 months. The test procedure shall be considered acceptable only if lesions of poliomyelitis are seen in monkeys inoculated with the reference material at a frequency statistically compatible with all previous tests with this preparation.

(2) *Test for virus titer.* The concentration of living virus in each monovalent virus pool or lot shall be determined, using the Reference Poliovirus Live, Attenuated of the same type as a control. The test shall be a 50 percent end-point titration calculation ($TCID_{50}$), performed with either groups of 10 tubes at 1 log dilution steps or groups of five tubes of 0.5 log dilution steps, or a test of demonstrated equivalent sensitivity. Acceptable titrations of the reference virus shall not vary more than ±0.5 log from its labeled titer.

(3) *Tests for In-Virto Markers.* A test shall be performed on each monovalent virus pool or each monovalent lot resulting therefrom, using the rct/40 Marker. A second test shall be performed using the d Marker or another marker method shown to be of value in identification of the attenuated strain. The test results shall demonstrate that the virus under test and the seed virus have substantially the same marker characteristics.

(i) *rct/40 Marker.* Attenuated strains which grow readily at 40° C. (±0.5° C.) are classified as rct/40 positive (+) in contrast to the rct/40 negative (—) strains which show an increased growth of at least 100,000 fold at 36° C. over that obtained at 40° C. Comparative determinations shall be made in either tube or bottle cultures.

(ii) *d Marker.* Attenuated strains which grow readily at low concentrations of bicarbonate under agar are classified as d positive (+) in contrast to the d negative (—) strains which exhibit delayed growth under the same conditions. The cultures shall be grown in a 36° C. incubator either in stoppered bottles or in plates in an environment of 5 percent CO_2 in air.

§ 73.115 Potency test.

The concentration of live virus expressed as $TCID_{50}$ of each type in the vaccine shall constitute the measure of its potency. The accuracy of the titration to determine the concentration of live virus in the lot under test shall be confirmed by performing a titration with the Reference Poliovirus, Live, Attenuated of the appropriate type as a check on titration technique. The concentration of each type of live virus contained in the vaccine of the lot under test shall be between 200,000 and 500,000 $TCID_{50}$ per human dose.

§ 73.116 General requirements.

(a) *Final container sterility test.* The final container sterility test need not be performed provided aseptic techniques are used in the filling process.

(b) *Consistency of manufacture.* No lot of vaccine shall be released unless each monovalent pool contained therein is one of a series of five consecutive pools of the same type, each pool having been manufactured by the same procedures, and each having met the criteria of neurovirulence for monkeys prescribed in § 73.114(b)(1), and of in-vitro markers prescribed in § 73.114(b)(3).

(c) *Dose.* The individual human dose of vaccine shall contain from 200,000 to 500,000 $TCID_{50}$ of each type of virus in the final monovalent vaccine, and for polyvalent vaccine not more than 1,000,000 $TCID_{50}$ of Type 1 virus, 100,000 to 200,000 $TCID_{50}$ of Type 2 virus and 200,000 to 500,000 $TCID_{50}$ of Type 3 virus.

(d) *Labeling.* In addition to the items required by other applicable labeling provisions of this part, the final container label shall bear a statement indicating that liquid vaccine may not be used for more than 7 days after opening the container. Labeling may include a statement indicating that for frozen vaccine a maximum of 10 freeze-thaw cycles is permissible provided the total cumulative duration of thaw does not exceed 24 hours, and provided the temperature does not exceed 8° C. during the periods of thaw.

(e) *Samples and protocols.* For each lot of vaccine, the following materials shall be submitted to the Director, Division of Biologics Standards, National Institutes of Health, Bethesda, Md. 20014:

(1) A protocol which consists of a summary of the history of manufacture of each lot including all results of each test for which test results are requested by the Director, Division of Biologics Standards.

(2) A 500 milliliter bulk sample of each final monovalent pool having a virus titer of no less than $10^{7.5}$ $TCID_{50}$ per milliliter, except that if the titer is greater, a correspondingly smaller volume may be submitted.

(3) A total of no less than 200 doses or no less than six final containers, whichever is the larger amount.

§ 73.117 Clinical trials to qualify for license.

To qualify for license, the antigenicity of the vaccine shall have been determined by clinical trials of adequate statistical design. Such clinical trials shall be conducted with five consecutive lots of poliovirus vaccine which have been manufactured by the same methods,

each of which has shown satisfactory results in all prescribed tests. Type specific neutralizing antibody (from less than 1:4 before vaccine treatment, to 1:16 or greater after treatment) shall be induced in 80 percent or more of susceptibles when administered orally as a single dose, or in excess of 90 percent of susceptibles when administered orally after a series of doses. A separate clinical trial shall have been conducted for each monovalent and each polyvalent vaccine for which license application is made.

§ 73.118 Equivalent methods.

Modification of any particular manufacturing method or process or the conditions under which it is conducted as set forth in the additional standards relating to Poliovirus Vaccine, Live, Oral, shall be permitted whenever the manufacturer presents evidence that demonstrates the modification will provide assurances of the safety, purity, and potency of the vaccine that are equal to or greater than the assurances provided by such standards, and the Surgeon General so finds and makes such finding a matter of official record.

§§ 73.142, 73.152 [Amended]

5. Delete the following provisions relating to testing for *Mycoplasma:*

§ 73.142(a) (6).
§ 73.142(b) (6).
§ 73.152(a) (1) (ii).
§ 73.152(a) (3) (vi).

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 262)

Dated: February 16, 1968.

[SEAL] WILLIAM H. STEWART,
Surgeon General.

Approved: March 11, 1968.

WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 68-3237; Filed, Mar. 15, 1968; 8:47 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 8, Part I; Docket No. 65-14]

PART 526—FREE TIME AND DEMURRAGE CHARGES ON IMPORT PROPERTY APPLICABLE TO ALL COMMON CARRIERS BY WATER

Postponement of Effective Date

By FEDERAL REGISTER publication of December 12, 1967 (32 F.R. 17667), the Commission amended its General Order 8, Part 1, setting forth amended rules governing free time and demurrage charges on import cargo at the Port of New York. These rules are presently scheduled to become effective on March 18, 1968.

The Commission is of the opinion that the rules can be re-written in order to state their purpose more clearly. Accordingly, the effective date of the aforementioned rules is postponed until further notice of the Commission.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 68-3217; Filed, Mar. 15, 1968; 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[No. MC-C-1 (Sub-No. 3)]

PART 1048—COMMERCIAL ZONES

St. Louis, Mo.-East St. Louis, Ill., Commercial Zone

Decision and order. At a session of the Interstate Commerce Commission, Review Board No. 2, held at its office in Washington, D.C., on the 5th day of March 1968.

It appearing, that by petition filed August 7, 1967, Acme Fast Freight, Inc., seeks redefinition of the limits of the zone adjacent to and commercially a part of St. Louis, Mo.-East St. Louis, Ill., within which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from points beyond the zone, is partially exempt from certain requirements of the Interstate Commerce Act under the provisions of section 203(b) (8) thereof. The St. Louis, Mo.-East St. Louis, Ill., commercial zone was originally defined in 1 M.C.C. 656, and corrected in a supplemental report, 2 M.C.C. 285; and redefined and expanded in five subsequent reports, 61 M.C.C. 489 (1953), 76 M.C.C. 418 (1958), 95 M.C.C. 519 (1964), 96 M.C.C. 691 (1964), and 105 M.C.C. 193 (1967), 49 CFR 1048.3. Petitioner seeks redefinition of the zone so as to include therein the Valley Junction Railroad Yards located at Centerville, Ill., and contiguous to the present limits of the zone.

It further appearing, that, pursuant to section 4(a) of the Administrative Procedure Act, notice of the filing of the petition was published in the FEDERAL REGISTER on December 28, 1967 (32 F.R. 20883), which notice stated that no oral hearing was contemplated, and that persons desiring to participate in the proceeding were invited to file representations supporting or opposing the relief sought.

It further appearing, that no representations were filed in this proceeding, but that the statements contained in the petition filed herein are sufficient upon which to base our determination of the issue presented.

It further appearing, that a portion of Centerville, Ill., adjacent to but not now within the St. Louis, Mo.-East St. Louis, Ill., commercial zone, is, in fact, economically and commercially a part of East St. Louis;

And it further appearing, that the portion of Centerville to be included within the zone as described herein is more technically correct than that appearing in the FEDERAL REGISTER publication caused to have been made herein:

Wherefore, and good cause appearing therefor:

It is ordered, That the proceeding be, and it is hereby, reopened for reconsideration.

It is further ordered, That § 1048.3 of Chapter X, of Title 49 of the Code of Federal Regulations be revised to read as follows:

§ 1048.3 St. Louis, Mo.-East St. Louis, Ill.

(a) The zone adjacent to and commercially a part of St. Louis, Mo.-East St. Louis, Ill., within which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage to or from a point beyond the zone is partially exempt from regulation under section 203(b) (8) of the Interstate Commerce Act (49 U.S.C. 303(b) (8)), includes and is comprised of all points as follows: (1) All points within the corporate limits of St. Louis, Mo.; (2) all points in St. Louis County, Mo., within a line drawn 0.5 mile south, west, and north, of the following line, but not including any point north of the Meramec River and west of Kirkwood Mo., west of the right-of-way of proposed Circumferential Expressway (Interstate Highway 244), north of a line formed by Dorsett Road and the right-of-way of the Chicago, Rock Island and Pacific Railroad, south of Lackland Avenue, or points beyond the established corporate boundaries of Kirkwood, Huntleigh, and St. Ferdinand, Mo. (except that area bounded on the east by the western boundary of Kirkwood, on the south by Marshall Road, on the west by Treecourt Avenue, and on the north by Big Bend Road): Beginning at the Jefferson Barracks Bridge across the Mississippi River and extending westerly along Missouri Highway 77 to its junction with U.S. Highway 61 bypass, thence along U.S. Highway 61 bypass to its junction with Bowles Avenue, thence westerly along U.S. Highway 66, to its junction with Bowles Avenue, thence northerly along Bowles Avenue actual or projected to the Meramec River, thence easterly along the south bank of the Meramec River to a point directly south of the western boundary of Kirkwood, thence across the Meramec River to and along the western boundary of Kirkwood to Marshall Road, thence westerly along Marshall Road to its junction with Treecourt Avenue, thence northerly along Treecourt Avenue to

its junction with Big Bend Road, thence easterly along Big Bend Road to the western boundary of Kirkwood, thence along the western and northern boundaries of Kirkwood to the western boundary of Huntleigh, Mo., thence along the western and northern boundaries of Huntleigh to junction U.S. Highway 66, thence in a northerly direction along U.S. Highway 66 (Lindberg Boulevard) to its junction with Lackland Avenue, thence in a westerly direction along Lackland Avenue to its junction with the right-of-way of proposed Circumferential Expressway (Interstate Highway 244), thence in a northerly direction along said right-of-way to its junction with the right-of-way of the Chicago, Rock Island and Pacific Railroad, thence in an easterly direction along said right-of-way to its junction with Dorsett Road, thence in an easterly direction along Dorsett Road to its junction with U.S. Highway 66, thence in a northerly direction along U.S. Highway 66 to its junction with Natural Bridge Road, thence in an easterly direction along U.S. Highway 66 to the western boundary of St. Ferdinand (Florissant), Mo., thence along the western, northern, and eastern boundaries of St. Ferdinand to junction U.S. Highway 66 and thence along U.S. Highway 66 (Taylor Road) to the corporate limits of St. Louis (near Chain of Rocks Bridge); and (3) all points within the corporate limits of East St. Louis, Belleville, Granite City, Madison, Venice, Brooklyn, National City, Fairmont City, Washington Park, and Monsanto, Ill., that part of the village of Cahokia, Ill., bounded by Illinois Highway 3 on the east, First Avenue and Red House (Cargill) Road on the south and southwest, the east line of the right-of-way of the Alton and Southern Railroad on the west, and the corporate limits of Monsanto, Ill., on the northwest and north, and that part of Centerville, Ill., bounded by a line beginning at the junction of 26th Street and the corporate limit of East St. Louis, Ill., and extending northeasterly along 26th Street to its junction with Bond Avenue, thence southeasterly along Bond Avenue to its junction with Owen Street, thence southwesterly along Owen Street to its junction with Church Road, thence southeasterly along Church Road to its junction with Illinois Avenue, thence southwesterly along Illinois Avenue to the southwesterly side of the right-of-way of the Illinois-Central Railroad Company, thence along the southwesterly side of the right-of-way of the Illinois-Central Railroad Company to the corporate limits of East St. Louis, Ill., thence along the corporate limits of East St. Louis, Ill., to the point of beginning.

(b) The exemption provided by section 203(b)(8) of the Interstate Commerce Act in respect of transportation by motor vehicle, in interstate or foreign commerce, between Belleville, Ill., on the one hand, and, on the other, any other point in the commercial zone, the limits of which are defined in (a) above, is hereby removed, and the said transportation is hereby subjected to all applicable provisions of the Interstate Commerce Act.

(49 Stat. 543, as amended, 544, as amended, 546, as amended; 49 U.S.C. 302, 303, 304)

It is further ordered, That this order shall become effective on May 6, 1968, and shall continue in effect until the further order of the Commission.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Review Board Number 2, Members Mills, Boyle, and May.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-3243; Filed, Mar. 15, 1968; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Oil Import Administration

[32A CFR Ch. X]

[Oil Import Reg. 1 (Rev. 5)]

ALLOCATIONS TO PETROCHEMICAL PLANTS

Notice of Proposed Rule Making

At the time that Oil Import Regulation 1 (Revision 5) Amendment No. 6 was published in the FEDERAL REGISTER, February 16, 1968 (33 F.R. 3061) providing for the making of initial allocations to petrochemical plants and refiners for the current allocation period the Secretary of the Interior referred to inequities in the system of allocations to petrochemical plants and directed that proposed amendments addressed to the problem, be published by March 15, 1968, in order that additional allocations might be made under amended regulations as soon before July 1, 1968 as possible. Accordingly, the following proposal is published as a notice of proposed rule making.

Under this proposal for the purposes of the oil import program a plant would be able to qualify either as a refinery or a petrochemical plant but not both. Under section 9 of the regulations a specified quantity of imports would be made available for allocation to petrochemical plants for the last 184 days of the current allocation period.

Under section 22 of the regulations the terms "refinery capacity," "refinery inputs," "petrochemical plant," "petrochemical plant inputs" and "petrochemicals" would be redefined in an attempt to achieve the separation of the two industry segments.

Interested persons may submit written comments, suggestions, or objections with respect to the proposal to the Administrator, Oil Import Administration, Washington, D.C. 20240, up until the close of business on April 5, 1968.

ELMER L. HOEHN,
Administrator,
Oil Import Administration.

MARCH 13, 1968.

1. Paragraphs (a) and (b) of section 9 of Oil Import Regulation 1 (Revision 5) (33 F.R. 3061) would be amended to read as follows:

Sec. 9 Allocations—crude oil and unfinished oils—petrochemical plants—Districts I–IV, District V.

(a) For the remaining 184 days of the allocation period Janury 1, 1968, through December 31, 1968, 79,000 b/d of imports of crude oil and unfinished oils are available for allocation in Districts I-IV to persons having petrochemical plants in these districts and 3,000 b/d of imports of crude oil and unfinished oils are available for allocation in District V to persons having petrochemical plants in this district and shall be allocated in accordance with paragraph (b) of this section.

(b) Each eligible applicant in Districts I–IV and V shall receive an allocation equal to the ratio that his petrochemical plant inputs for the year ending 3 months prior to the beginning of the allocation period bears to the total petrochemical plant inputs in the respective districts multiplied by the total imports available for allocation specified in paragraph (a) of this section.

* * * * *

2. Paragraphs (k) (31 F.R. 15804, (l) (31 F.R. 7750), (n) (31 F.R. 16787), (o) and (p) (31 F.R. 7750) would be amended to read as follows:

Sec. 22 Definitions.

* * * * *

(k) "Refinery inputs" means feedstocks charged to a refinery;

(1) And include only—

(i) Crude petroleum as it is produced at the wellhead;

(ii) Unfinished oils imported pursuant to an allocation;

(iii) Liquids which are recovered by a process other than absorption, adsorption, compression, refrigeration, cycling, or a combination of such processes from mixtures of hydrocarbons that existed in a vaporous phase in a reservoir, and

(iv) Butanes and pentanes plus (hydrocarbons containing four or more carbon atoms) recovered from natural gas that are chemically converted in a refinery.

(2) But does not include for the purpose of computing allocations under section 10 or section 11 of this regulation, any crude oil or unfinished oils which are imported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country, in the case of unfinished oils, is also the country of production of the crude oil from which the unfinished oils were processed or manufactured, or butanes or pentanes plus (hydrocarbons containing four or more carbon atoms) produced from natural gas which are imported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced which country is also the country of production of the natural gas from which the butanes or pentanes plus were processed or manufactured.

(l) "Refinery capacity" means a plant or plants which:

(1) Include equipment for separating or converting hydrocarbons to finished products or unfinished oils;

(2) Use crude oil as the predominant feedstock; and

(3) Convert for plant use or sale not less than 70 percent by weight of total refinery inputs into three or more separate and distinct finished products other than liquefied gases. Each separate finished product must be equal to not less than 4 percent by weight of total refinery inputs.

* * * * *

(n) "Petrochemical plant" means a facility or plant complex;

(1) Which includes equipment for converting hydrocarbons to petrochemicals by chemical reaction;

(2) Which manufactures for plant use or sale one or more separate and distinct petrochemicals by chemical conversion of each separate petrochemical plant input feedstock stream which is claimed by an applicant as a basis for obtaining a crude and unfinished oils import allocation; and

(3) In which more than 70 percent by weight of such inputs are converted by chemical reaction into petrochemicals or in which over 75 percent by weight of recovered product output consists of petrochemicals which were converted by chemical reaction from such inputs.

(o) "Petrochemical plant inputs" means feedstocks charged to a petrochemical plant;

(1) And include only;

(i) Crude oil;

(ii) Unfinished oils produced in refineries located, or from natural gas produced, in Districts I–IV and District V and unfinished oils imported pursuant to an allocation;

(iii) Benzene, toluene, xylenes, and ethylbenzene, or mixtures or combinations thereof, manufactured in refineries located in Districts I–IV and District V; and

(iv) Petroleum coke manufactured in refineries located in Districts I–IV and District V.

(2) But does not include;

(i) Unfinished oils produced in petrochemical plants; and

(ii) Crude oil or unfinished oils which are imported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country in the case of unfinished oils is also the country of production of the crude oil from which the unfinished oils were processed or manufactured.

(p) "Petrochemicals" means carbon or compounds (other than finished products or unfinished oils, or benzene, toluene, xylenes, or a mixture or combinations thereof, or petroleum coke) which are produced from petrochemical plant inputs by chemical reaction in a petrochemical plant.

[F.R. Doc. 68-3284; Filed, Mar. 14, 1968; 11:39 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 907]

HANDLING OF NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Proposed Increase in Assessment Rate for 1967–68 Fiscal Year

Consideration is being given to the proposal set forth herein submitted by the Navel Orange Administrative Committee, established under Marketing Agreement No. 117, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof. The committee now estimates that due to freeze damage in Central California the crop will not reach the previously estimated total, thus rendering necessary the proposed increase in assessment rate.

The proposal is that the provisions of paragraph (b) of § 907.206 *Expenses and rate of assessment* (33 F.R. 909) be amended to read as follows:

§ 907.206 Expenses and rate of assessment.

(a) * * *

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 907.41, is fixed at $0.024 per carton of Navel oranges.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication to this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: March 12, 1968.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68-3235; Filed, Mar. 15, 1968; 8:47 a.m.]

[7 CFR Part 1201]

HANDLING OF TYPE 62 SHADE-GROWN CIGAR-LEAF TOBACCO GROWN IN DESIGNATED PRODUCTION AREA OF FLORIDA AND GEORGIA

Proposed Expenses and Fixing of Rate of Assessment for 1968–69 Fiscal Period

Consideration is being given to the following proposals submitted by the Control Committee, established under the amended marketing agreement and Amended Order No. 195 (7 CFR Part 1201), regulating the handling of type 62 shade-grown cigar-leaf tobacco grown in designated production area of Florida and Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(a) Expenses in the amount of $8,500 are reasonable and likely to be incurred by the Control Committee for its maintenance and functioning during the fiscal period ending January 31, 1969.

(b) The following rate of assessment which each handler who first handles tobacco shall pay, in accordance with the applicable provisions of the said amended marketing agreement and amended order, is hereby fixed as such handler's pro rata share of the aforesaid expenses: $1.25 per 1,000 pounds of tobacco handled by such handler as the first handler thereof during the fiscal period ending January 31, 1969.

(c) Terms used in this section shall have the same meaning as when used in said amended marketing agreement and amended order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to the notice will be made available for public inspection at the office of the Hearing Clerk during official hours of business.

Done at Washington, D.C., this 12th day of March 1968.

STEPHEN E. WRATHER,
Director, Tobacco Division, Consumer and Marketing Service.

[F.R. Doc. 68-3236; Filed, Mar. 15, 1968; 8:47 a.m.]

DEPARTMENT OF LABOR

Bureau of Employment Security

[20 CFR Part 621]

ALIENS PERFORMING TEMPORARY LABOR

Industry Other Than Agriculture or Logging

Pursuant to authority referred to in § 621.1 of the regulations set forth herein, I hereby propose to amend Chapter V of Title 20 of the Code of Federal Regulations by establishing a new Part 621 to read as set forth below.

Interested persons may, within 15 days after publication of this proposal in the FEDERAL REGISTER, mail written statements of data, views, or argument concerning it to the Secretary of Labor, U.S. Department of Labor, Washington, D.C. 20210.

The new 20 Part 621 would read as follows:

PART 621—CERTIFICATION OF TEMPORARY FOREIGN LABOR FOR INDUSTRIES OTHER THAN AGRICULTURE OR LOGGING

Sec.
621.1 Purpose.
621.2 Applications.
621.3 Determinations.

AUTHORITY: The provisions of this Part 621 issued under 8 U.S.C. 1101, 1184; 8 CFR 214.2.

§ 621.1 Purpose.

This part sets forth the procedure to be followed by employers anticipating a labor shortage in industries other than agriculture or logging (see Part 602 of this chapter) who desire certifications for temporary foreign labor pursuant to the Immigration and Naturalization Service Regulations (8 CFR 214.2(h)(ii)) in order to accord aliens classifications under section 101(a)(15)(H)(ii) (8 U.S.C. 1101(a)(15)(H)(ii)) of the Immigration and Nationality Act.

§ 621.2 Applications.

Application forms (Form ES–575–B) for certification for temporary nonagricultural foreign labor may be obtained from and should be filed in duplicate with the local office of the State employment service serving the area of proposed employment.

§ 621.3 Determinations.

(a) When received, applications for certification shall be forwarded by the local office of the State employment service to the appropriate Regional Administrator of the Bureau of Employment Security who will issue them if he finds that qualified persons in the United States are not available and that the terms of employment will not adversely affect the wages and working conditions of workers in the United States similarly employed.

(b) In making this finding, such matter as the employer's attempts to recruit workers and the appropriateness of the wages and working conditions offered, will be considered. The policies of the U.S. Employment Service set forth in Parts 602 and 604 of this chapter shall be followed in making the findings.

(c) In any case in which the Regional Administrator of the Bureau of Employment Security determines after examination of all the pertinent facts before him that certification should not be issued, he shall promptly so notify the employer requesting the certification. Such notification shall contain a statement of the reasons on which the refusal to issue a certification is based.

(d) The certification or notice of denial thereof is to be used by the employer to support his petition Form I-129B, filed with the District Director of the Immigration and Naturalization Service.

Signed at Washington, D.C., this 11th day of March 1968.

WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 68-3240; Filed, Mar. 15, 1968; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 68-SO-18]

TRANSITION AREA AND CONTROL ZONE

Proposed Alteration and Designation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Moultrie, Ga., transition area and designate the Moultrie, Ga., part-time control zone.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

The Moultrie transition area described in § 71.181 (33 F.R. 2137) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Thomasville Municipal Airport; within an 8-mile radius of Moultrie-Thomasville Airport (lat. 31°04'58" N., long. 83°-48'15" W.); within an 8-mile radius of Spence AF Auxiliary Field (lat. 31°08'26" N., long. 83°42'24" W.).

The Moultrie part-time control zone would be designated as:

Within a 5-mile radius of Moultrie-Thomasville Airport (lat. 31°04'58" N., long. 83°48'15" W.); within 2 miles each side of the Moultrie VOR 230° and 271° radials, extending from the 5-mile radius zone to 8 miles southwest and west of the VOR; within 2 miles each side of the Moultrie VOR 199° radial, extending from the 5-mile radius zone to 11.5 miles south of the VOR; within a 5-mile radius of Spence AF Auxiliary Field (lat. 31°08'26" N., long. 83°42'24" W.), effective from 0700 to 2245, local time, daily.

Current transition area criteria appropriate to Thomasville Municipal Airport, Moultrie-Thomasville Airport, and Spence AF Auxiliary Field requires increases in the basic radius circles to 8 miles. The proposed alteration permits the revocation of the three transition area extensions predicated on the Moultrie VOR 271°, 199°, and 230° radials. Additionally, the latitudinal ordinate for Moultrie-Thomasville Airport has been refined to "lat. 31°04'58" N."

The proposed part-time control zone would provide controlled airspace protection for IFR aircraft during climb from 700 feet above the surface and during descent below 1,000 feet above the surface. Airline personnel will be performing aviation weather observations and reporting duties from 0630 to 2245, local time, daily, and scheduled air carrier flights are operating from 0630 to 2245, local time, daily.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on March 7, 1968.

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[F.R. Doc. 68-3230; Filed, Mar. 15, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-EA-133]

TRANSITION AREAS

Proposed Designation and Revocation; Correction

On February 24, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 3345) which proposed to alter the controlled airspace in the vicinity of Elkins, W. Va., and consolidate transition areas.

Information disclosing the location at which the official docket would be available for review, the address to which interested persons may submit comments and the duration of the comment period was inadvertently omitted from the notice. Therefore, action is taken hereby to amend Airspace Docket No. 67-EA-133 by adding the following two paragraphs after the first paragraph of the notice.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received by April 13, 1968, will be considered before action is taken on the proposed amendments.

The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

This correction is made under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 11, 1968.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68-3231; Filed, Mar. 15, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-SO-16]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Sumter, S.C., control zone and transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting

the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

The Sumter control zone described in § 71.171 (33 F.R. 2058) would be redesignated as:

Within a 5-mile radius of Shaw AFB (lat. 33°58'15" N., long. 80°28'19" W.); within 2 miles each side of the Shaw AFB TACAN 033° and 213° radials, extending from the 5-mile radius zone to 8 miles northeast and 8 miles southwest of the TACAN.

The Sumter transition area described in § 71.181 (33 F.R. 2137) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Shaw AFB (lat. 33°58'15" N., long. 80°28'19" W.); within a 10-mile radius of McEntire ANGB (lat. 33°55'26" N., long. 80°48'14" W.; within a 5-mile radius of Sumter Municipal Airport (lat. 33°59'39" N., long. 80°21'45" W.); within 2 miles each side of the Shaw AFB ILS localizer southwest course, extending from the 8-mile radius area to 12 miles southwest of the LOM; within 2 miles each side of the Shaw AFB TACAN 033° radial, extending from the 8-mile radius area to 8 miles northeast of the TACAN; within 2 miles each side of the McEntire ANG VOR 138° radial, extending from the 10-mile radius area to 12 miles southeast of the VOR; within 2 miles each side of the Shaw AFB TACAN 213° radial, extending from the 8-mile radius area to 17 miles southwest of the TACAN, excluding the airspace that coincides with the Columbia, S.C., transition area.

The proposed alteration to the control zone permits a reduction of 5 miles to the extension predicated on the Shaw AFB TACAN 213° radial.

Since the last alteration of controlled airspace at Sumter, the name of the airport has been changed to Sumter Municipal Airport. The latitudinal ordinate is incorrectly published as "lat. 32°55'26" N." in lieu of "lat. 33°55'26" N." Criteria appropriate to Shaw AFB requires an increase in the basic radius circle of the 700-foot transition area from 7 to 8 miles and to the McEntire ANGB, an increase from 8 to 10 miles. The proposed additional extension predicated on the Shaw AFB TACAN 213° radial is required for the protection of IFR aircraft executing JAL-409-TACAN-4 RWY 4 instrument approach procedure.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on March 7, 1968.

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[F.R. Doc. 68-3229; Filed, Mar. 15, 1968; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 150]

EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES

Transfer of Products Containing Byproduct Material and Source Material Exempted From Licensing and Regulatory Requirements

Subsection 274c of the Atomic Energy Act of 1954, as amended, provides that notwithstanding any agreement between the Atomic Energy Commission and any State, the Commission is authorized to require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license issued by the Commission.

In issuing 10 CFR Part 150, which implemented certain provisions of section 274 of the Act, the Commission exercised its authority under subsection 274c of the Act by providing (§ 150.15(a)(6)) that persons in agreement States[1] are not exempt from the Commission's licensing requirements with respect to * * *

In its notice of rule making published on February 14, 1962 (27 F.R. 1351), the Commission stated:

Control over consumer type devices, such as luminous watches, would be retained by the Commission. The uncontrolled distribution of atomic materials in products designed for distribution to the general public, such as consumer type devices, and the ultimate uncontrolled release of these materials into the environment, involve questions of national policy which have not yet been resolved. It is for this reason that the Commission is retaining control over such products. The Commission recognizes that the phrase "products designed for distribution to the general public" is not precise. The purpose of the provision, however, will be discussed with each agreement State; serious difficulties in interpretation of the phrase are not anticipated.

In retaining regulatory authority over transfer of "products * * * intended for use by the general public", the Commission was seeking to maintain surveillance over the safety of products containing radioactive materials, without the imposition of regulatory controls, and to be able to assess the effect of the attendant uncontrolled addition of these radioactive materials to the environment. In view of the increasing difficulty in determining whether or not such products are intended for use by the general public, the Commission is considering the amendment of Part 150 to redefine the category of products containing radioactive materials over whose transfer in an agreement State it retains jurisdiction.

The proposed amendment of Part 150 set forth below would amend § 150.15(a)(6) by deleting the phrase "product * * * intended for use by the general public" and substituting therefore the phrase "product * * * whose subsequent possession, use, transfer, and disposal are exempted from licensing and regulatory requirements of the Commission under Parts 30 and 40 of this chapter."

If the proposed amendment is adopted, the transfer of possession or control by a manufacturer, processor, or producer of any equipment, device, commodity, or other product containing byproduct material or source material whose possession, use, transfer, and disposal are exempted from Commission licensing and regulatory requirements under Parts 30 and 40 would not be subject to the licensing and regulatory authority of an agreement State even though the product is manufactured, processed, or produced pursuant to an agreement State license. The manufacturer of such products in an agreement State would be subject to the Commission's regulatory authority with respect to transfer of any product which has been so exempted from the Commission's licensing and regulatory requirements. The Commission has confined its regulation of the transfer of exempt products to specifications for the products, quality control procedures, requirements for testing, and labeling. The authority of agreement States to regulate any radiation hazards that might arise during manufacture of such products would not be affected by the proposed amendment. Accordingly, dual regulation will continue to be avoided.

Unlike present § 150.15(a)(6), the proposed amendment refers only to products containing source and byproduct material, and does not refer to products containing special nuclear material. Since the proposed amendment substitutes the concept of products which have been exempted from Commission regulations for the concept of products "intended for use by the general public," and since the Commission has never exempted products containing special nuclear material from licensing requirements, such a reference would be inappropriate. Neither section 53 nor section 57 of the Act, which relate to licensing requirements for special nuclear material and Commission authority to issue such licenses, contains a provision authorizing the Commission to exempt uses of special nuclear material from licensing requirements.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of Title 5 of the United States Code, notice is hereby given that adoption of the following amendment of 10 CFR Part 150 is contemplated. All interested persons who desire to submit written comments or suggestions in connection with the

[1] States to which the Commission has transferred certain regulatory authority over radioactive material by formal agreement pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

(6) The transfer of possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material, intended for use by the general public.

proposed amendment should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, within 60 days after initial publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified. Copies of comments on the proposed rule may be examined at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Section 150.15(a)(6) of Part 150 is amended to read as follows:

§ 150.15 Persons not exempt.

(a) Persons in agreement States are not exempt from the Commission's licensing and regulatory requirements with respect to the following activities:

* * * * *

(6) The transfer of possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source material or byproduct material whose subsequent possession, use, transfer, and disposal are exempted from licensing and regulatory requirements of the Commission under Parts 30 and 40 of this chapter.

* * * * *

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 274, 73 Stat. 688; 42 U.S.C. 2021)

Dated at Washington, D.C., this 14th day of February 1968.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 68-2351; Filed, Feb. 23, 1968; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-8268]

PROHIBITED STOCK DISTRIBUTIONS

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to adopt Rule 10b-12 (17 CFR § 240.10b-12) under the Securities Exchange Act of 1934 (the Act) to preclude an issuer whose stock is publicly offered or traded from misrepresenting the results of its operations by distributing stock dividends or their equivalent to shareholders unless the issuer has earned surplus sufficient to cover the fair value of the shares distributed. The rule would not affect traditional stock splits involving the distribution of at least an additional share for each share outstanding.

Pro rata stock distributions to stockholders in amounts which are relatively small in relation to the number of shares outstanding are a means of conveying the impression that a distribution is being made out of the earned surplus of the company without the drain on current assets that would result from the distribution of a cash dividend. Instances have recently come to the attention of the Commission in which such distributions were utilized by companies having little or no earned surplus, thus creating a misleading impression concerning the results of operations of the company.

The listing standards of the New York Stock Exchange have for a number of years provided that a pro rata distribution to stockholders, without consideration, of less than 25 percent of the number of shares outstanding prior to the distribution cannot be made in the absence of the transfer of the fair value of the securities so distributed from earned surplus to the capital stock or capital surplus accounts.[1] In the same connection, it has been pointed out that the use of the term "dividend" with reference to such pro rata stock distributions tends to be misleading in the absence of such a transfer from earned surplus to the capital stock or capital surplus accounts of an amount equal to the fair value of the shares so distributed.[2] Moreover, existing standards indicate that such pro rata distributions in the range between 25 percent and 100 percent of the shares outstanding prior to the distribution could create the deceptive impression that such distributions are "dividends" if they are of a recurring nature and if transfers of their fair value are not made from earned surplus to the capital stock or capital surplus accounts.[3] Further in this connection, the New York Stock Exchange has observed that a so-called "split up" (stock split) of less than 100 percent often will not be reflected in appropriate adjustments of price and distribution, and that such attempted adjustments, if they follow each other too closely, may have effects upon the market not consistent with the best interests of the company or its stockholders, or those of the general investing public.[4]

The same basic principles respecting the pro rata stock distribution to stockholders without consideration have been enumerated and followed by the American Institute of Certified Public Accountants over a substantial period of time, and are also expressed by the American Stock Exchange.[5]

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[1] Thus, the "Exchange Listing Policy" (New York Stock Exchange Company Manual, page A-235) is set out as follows: "The Exchange, in authorizing the listing of additional shares to be distributed pursuant to a stock dividend (or a stock split-up, whether or not effected through the technique of a stock dividend) representing less than 25 percent of the number of shares outstanding prior to such distribution will require that, in respect of each such additional share so distributed, there be transferred from earned surplus to the permanent capitalization of the company (represented by the capital stock and capital surplus accounts) an amount equal to the fair value of such shares. While it is impracticable to define 'fair value' exactly, it should closely approximate the current share market price adjusted to reflect issuance of the additional shares."

[2] On the misleading character of the term "stock dividend" when the fair value of the distributed shares are not capitalized out of earned surplus, the Exchange has this to say: "The use of the word 'dividend' should be avoided in any reference to a stock distribution not being capitalized, at its fair value, out of earned surplus, as such use may tend to mislead as to the real nature of the distribution.".

[3] With respect to distributions of 25 percent or more but less than 100 percent or more of the number of shares outstanding prior to the distribution, the New York Stock Exchange has this to say: "This policy does not apply to distributions representing 100 percent or more of the number of shares outstanding prior to the distribution. As to distributions of 25 percent or more, but less than 100 percent, the Exchange will require capitalization at fair value only when, in the opinion of the Exchange, such distributions assume the character of stock dividends through repetition under circumstances not consistent with the true intent and purpose of stock split-ups." Idem at p. A-235.

[4] Idem at p. A-256.

[5] "As has been previously stated, a stock dividend does not, in fact, give rise to any change whatsoever in either the corporation's assets or its respective shareholders proportionate interests therein. However, it cannot fail to be recognized that, merely as a consequence of the expressed purpose of the transaction and its characterization as a dividend in related notices to shareholders and the public at large, many recipients of stock dividends look upon them as distributions of corporate earnings and usually in an amount equivalent to the fair value of the additional shares received. Furthermore, it is to be presumed that such views of recipients are materially strengthened in those instances, which are by far the most numerous, where the issuances are so small in comparison with the shares previously outstanding that they do not have any apparent effect upon the share market price and, consequently, the market value of the shares previously held remains substantially unchanged. The committee therefore believes that where these circumstances exist the corporation should in the public interest account for the transaction by transferring from earned surplus to the category of permanent capitalization (represented by the capital stock and capital surplus accounts) an amount equal to the fair value of the additional shares issued. Unless this is done, the amount of earnings which the shareholder may believe to have been distributed will be left, except to the extent otherwise dictated by legal requirements, in earned surplus subject to possible further similar stock issuances or cash distributions." Accounting Research Bulletin No. 43 (1953). See also, Accounting Research Bulletin No. 11 (1941).

The listing standards of the American Stock Exchange are based on these principles. Thus it states its policy in this connection: "The American Stock Exchange expects that the transactions will be accounted for in accordance with Accounting Research Bulletins of the American Institute of Accountants, *i.e.*, if the distribution is less than 25 percent, the corporation should account for the transaction by transferring from Earned Surplus an amount equal to the fair value of each of the additional shares to be issued, with Capital Stock Account increased by the par value of the shares, and Capital Surplus Account increased by the amount by which the fair value of the shares issued exceeds the par value." American Stock Exchange Guide ¶ 10,046.

It appears that the failure to adhere to accepted standards in these situations renders a distribution of the nature indicated a manipulative or deceptive device or contrivance within the meaning of section 10(b) of the Exchange Act, and that any financial statements filed with this Commission which fail to conform to the accounting principles herein mentioned are violative of applicable provisions of both that Act and the Securities Act of 1933.[6] In cases involving an existing or contemplated public offering by an issuer of its securities, such practices have already been held to constitute a violation of the anti-fraud and antimanipulative provisions of the federal securities laws.[7] This finding would be codified by the proposed rule.

In addition, it is proposed that the rule shall apply whenever the issuer's stock is traded by use of the mails or instrumentalities of interstate commerce, or of any facility of a national securities exchange. This requirement would be deemed satisfied if one or more brokers or dealers effect transactions in, or the issuer is required to file reports pursuant to section 13 or 15(d) of the Exchange Act with respect to, the class of stock upon which the distribution is made. The proposed rule would reflect the determination by the Commission that in such circumstances the distribution is effected in connection with the purchase or sale of a security within the meaning of section 10(b) of the Exchange Act, irrespective of whether the issuer or any other person responsible for effecting the distribution engages in transactions with respect to the securities involved or whether the primary purpose of the distribution is to influence such transactions. This determination appears to be justified because such distributions, by their nature and the manner in which they are reported to the investing public, influence investment judgments and must reasonably be contemplated to have that effect.

Paragraph (a) (1) of the proposed rule would provide that any pro rata stock distribution to stockholders shall be a manipulative or deceptive device or contrivance if it be designated as a stock dividend, unless the issuer has earned surplus in an amount not less than the fair value of the shares so distributed and unless it transfers such amount from earned surplus to permanent capitalization. This paragraph also declares that, regardless of how designated, if the number of shares to be so distributed be less than 25 percent of the number of shares of the same class prior to the distribution, the transaction would constitute a manipulative or deceptive device or contrivance within the meaning of section 10(b) of the Exchange Act if the distribution be made in the absence of earned surplus in an amount not less than the fair value of the shares so distributed and in the absence of the transfer by the issuer of such amount from earned surplus to the permanent capitalization of the issuer.

Paragraph (a) (2) deals with distributions of that type in a quantity of 25 percent or more but less than 100 percent of the number of shares outstanding prior to the distribution. In such a case, if the distribution is part of a plan for recurring pro rata distributions to stockholders without consideration, the issuer would be prohibited from making it in the absence of earned surplus in an amount not less than the fair value of the distributed shares and in the absence of the capitalization by the issuer of such amount out of earned surplus. This paragraph also provides that the issuer shall have the burden of proving that any given distribution of shares of that kind is not part of a program of recurring pro rata distributions.

Paragraph (b) provides that the term "fair value" covered by the provisions of the rule means an amount determined in accordance with good accounting practice, which closely approximates the current per share market price adjusted to reflect issuance of the additional shares. This is essentially the standard of valuation employed by the New York Stock Exchange.[8] This standard, of course, applies only when the shares being issued are of a previously outstanding class for which a market exists. The rule is also applicable to a distribution of shares of a class not previously outstanding or for which no market exists. The rule does not prescribe a specific standard for valuation in these latter circumstances.

Paragraph (c) of the proposed rule contains a provision that the Commission may, unconditionally or upon terms and conditions, exempt any activity otherwise prohibited by the rule, if the Commission finds that the proposed activity would not constitute a manipulative or deceptive device or contrivance within the purposes of the rule. It is contemplated that this exemptive provision will be narrowly construed and will be exercised by the Commission only sparingly in cases involving unusual circumstances.

Pursuant to the Securities Exchange Act of 1934, particularly sections 10(b), 13, 15(d) and 23(a) thereof, the Commission proposes to add to Part 240 of Chapter II of Title 17 of the Code of Federal Regulations, the following Rule 10b–12 (17 CFR § 240.10b–12):

§ 240.10b–12 Employment of manipulative or deceptive devices or contrivances with respect to certain stock distributions.

(a) It shall constitute a manipulative or deceptive device or contrivance in connection with the purchase or sale of a security within the meaning of section 10(b) of the Act for an issuer which publicly offers any class of stock, or which has outstanding any class of stock traded, by use of the mails or any means or instrumentality of interstate commerce, or of any facility of any national securities exchange, to issue to the holders thereof shares of any class of stock on a pro rata basis and without consideration.

(1) If directly or indirectly the issuer designates the shares so issued as a stock dividend, or if the number of shares so issued (regardless of how designated) is less than 25 percent of the number of shares of the same class outstanding immediately prior to such issuance, unless (i) at the time of such issuance, the issuer has earned surplus in an amount at least equal to the fair value of the shares so issued, and (ii) the issuer has transferred such amount of earned surplus to the permanent capitalization of the issuer represented by its capital stock and capital surplus accounts, or

(2) If the number of shares so issued is 25 percent or more, but less than 100 percent, of the number of shares of the same class outstanding immediately prior to such issuance, unless (i) at the time of such issuance the issuer has earned surplus in an amount at least equal to the fair value of the shares so issued, and has transferred such amount of earned surplus to the permanent capitalization of the issuer represented by its capital stock and capital surplus account, or (ii) the issuance of such shares is not part of a program of recurring pro rata distribution without consideration. The issuer shall have the burden of proving that any given distribution of shares of the kind covered by this subsection is not part of such a program of recurring pro rata distribution without consideration.

(b) The term "fair value" as used in this section means an amount, determined in accordance with good accounting practice, which closely approximates the current per share market price adjusted to reflect issuance of the additional shares.

(c) This section shall not prohibit activity by an issuer otherwise proscribed by this section, if the Commission, upon written request or upon its own motion, exempts such activity, either unconditionally or on specified terms and conditions, as not constituting a manipulative or deceptive device or contrivance comprehended within the purpose of this section.

(Secs. 10(b), 13, 15(d) and 23(a), 48 Stat. 891, 894, 901, 49 Stat. 1379, as amended, sec. 8, 49 Stat. 1379, secs. 4 and 5, 78 Stat. 569, 574; 15 U.S.C. 78j, 78m, 78o and 78w)

All interested persons are invited to submit views and comments on the proposed Rule 10b–12 (17 CFR § 240.10b–12). Written statements of views and comments in respect of the proposed rule should be submitted to the Securities and Exchange Commission, Washington, D.C. 20549 on or before April 8, 1968. All such communications will be available for public inspection.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

MARCH 7, 1968.

[F.R. Doc. 68–3227; Filed, Mar. 15, 1968; 8:47 a.m.]

[6] See Accounting Series Release No. 4, Apr. 25, 1938.

[7] See Bruns, Nordeman & Co., 40 SEC 653, 657 (1961).

[8] See New York Stock Exchange Company Manual p. A–235.

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Filing Plat of Survey

MARCH 11, 1968.

1. Plat of survey of the land described below will be officially filed in the Fairbanks District and Land Office, Fairbanks, Alaska, effective 10 a.m., April 16, 1968.

FAIRBANKS MERIDIAN

T. 1 N., R. 2 E (Group 49),
Tract "A";
Tract "B";
Secs. 17–18, all.

The areas described above aggregate 7,479.11 acres.

2. The area surveyed is located about 8 miles northeast of Fairbanks, Alaska. The land in general is hilly, ranging in elevation from 750 to 1,000 feet above sea level, with the exception of the flat areas along the North and East boundaries of sec. 17. Timber consists of spruce, birch, aspen, and undergrowths of alder and willow. The soil is thin humus and sandy clay.

3. The survey of secs. 17 and 18 was initiated to accommodate homestead claims. Tracts "A" and "B" are to accommodate Alaska State Selection in accordance with and subject to the limitations and requirements of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339) and the regulations in 43 CFR 2233.9–1(a) and 43 CFR 1840.

4. Inquiries concerning the lands should be addressed to the Manager, Fairbanks District and Land Office, Post Office Box 1150, Fairbanks, Alaska 99701.

JOYCE A. FLESCHE,
Acting Manager, Fairbanks District and Land Office.

[F.R. Doc. 68–3224; Filed, Mar. 15, 1968; 8:47 a.m.]

[S–1353]

CALIFORNIA

Notice of Proposed Classification of Public Lands for Multiple-Use Management

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18), and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify for multiple-use management the public lands in paragraph 3, together with any lands therein that may become public lands in the future. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating (a) all public lands described below from appropriation only under the agricultural land laws (43 U.S.C., Chapters 7 and 9, and 25 U.S.C., section 334) and from sales under 2455 of the Revised Statutes (43 U.S.C. 1171). The lands shall remain open to all other applicable forms of appropriation including the mining and mineral leasing laws.

3. The public lands are located within the following described areas of Colusa and Glenn Counties. For the purpose of this proposed classification, the area has been subdivided into blocks, each of which has been analyzed in detail and described in documents and maps available for inspection at the Ukiah District Office, 168 Washington Avenue, Ukiah, Calif. 95482, and on the records in the Sacramento Land Office, 650 Capitol Mall, Sacramento, Calif. 95814. The overall descriptions of the area are as follows:

BLOCK A

GLENN COUNTY, MOUNT DIABLO MERIDIAN

All public lands in:

T. 19 N., R. 6 W.,
Secs. 18, 19, 30, and 31.
T. 19 N., R. 7 W.,
Secs. 12, 13, 24, and 25.

BLOCK B

COLUSA COUNTY, MOUNT DIABLO MERIDIAN

All public lands in:

T. 16 N., R. 6 W.,
Secs. 3, 4, 9, 10, 15, and 16.
T. 17 N., R. 6 W.,
Secs. 5, 6, 8, 17, 21, 28, and 33.

BLOCK C

COLUSA AND GLENN COUNTIES, MOUNT DIABLO MERIDIAN

All public lands in:

T. 16 N., R. 5 W.,
Secs. 3 to 10 inclusive, partly unsurveyed;
Secs. 16 and 17.
T. 17 N., R. 5 W.,
Secs. 5 to 8 inclusive;
Secs. 17 to 20 inclusive;
Secs. 28 to 33 inclusive.
T. 18 N., R. 5 W.,
Secs. 6, 7, 18, 19, and 20;
Secs. 29 to 32 inclusive.
T. 19 N., R. 5 W.,
Sec. 31.
T. 17 N., R. 6 W.,
Secs. 24 and 25.
T. 18 N., R. 6 W.,
Secs. 1, 12, 13, 24, and 25.

BLOCK D

GLENN COUNTY, MOUNT DIABLO MERIDIAN

All public lands in:

T. 18 N., R. 6 W.,
Sec. 10.
T. 19 N., R. 6 W.,
Sec. 2;
Secs. 5 to 8 inclusive;
Secs. 11, 13, 17, 18, 20, and 21;
Secs. 23 to 26 inclusive;
Secs. 28, 29, 33, and 34.
T. 20 N., R. 6 W.,
Secs. 7, 10, 15, 16, 20, 21, 23, 29, 31, and 32.
T. 21 N., R. 6 W.,
Secs. 6, 7, 18, 19, and 31.
T. 22 N., R. 6 W.,
Secs. 19, 30, and 31.
T. 20 N., R. 7 W.,
Secs. 2, 11, and 35.

The public lands proposed to be classified in Colusa and Glenn Counties aggregate approximately 19,224 acres.

4. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions or objections in connection with the proposed classification may present their views in writing to the Ukiah District Manager, 168 Washington Avenue, Ukiah, Calif. 95482, or at the public hearing.

5. A public hearing on this proposed classification will be held on April 3, 1968, at 7:30 p.m., in the Glenn County Courthouse, Willows, Calif.

For the State Director.

JOHN F. LAUZ,
Ukiah District Manager.

RICHARD L. THOMPSON,
Redding District Manager.

[F.R. Doc. 68–3225; Filed, Mar. 15, 1968; 8:47 a.m.]

[Montana 6435]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

MARCH 7, 1968.

The Forest Service, U.S. Department of Agriculture, has filed application, Montana 6435, for the withdrawal of land described below from all forms of appropriation under the public land laws, including the mining and mineral leasing laws subject to existing valid claims.

The applicant desires to add the land to the Beaverhead National Forest for multiple-use management consisting of timber, wildlife, grazing, watershed, and recreation.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont. 59101.

The Department's regulations (43 CFR 2311.1–3(c)) provide that the authorized

officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for the purpose other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA

T. 2 N., R. 12 W.,
Sec. 12, lots 1, 2, 3, 4, 5, and 6, NE¼, N½SE¼, and SE¼SE¼.

The area described aggregates 518.77 acres.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 68-3261; Filed, Mar. 15, 1968; 8:49 a.m.]

Fish and Wildlife Service

[Docket No. S-430]

ROBERT V. LEE

Notice of Loan Application

MARCH 13, 1968.

Robert V. Lee, Box 446, Cordova, Alaska 99574, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 26-foot length overall wood vessel to engage in the fishery for salmon.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-3249; Filed, Mar. 15, 1968; 8:49 a.m.]

[Docket No. S-431]

HAROLD G. AND LETA V. PHILO

Notice of Loan Application

MARCH 13, 1968.

Harold G. Philo and Leta V. Philo, 17104 Northeast Glisan, Portland, Oreg. 97230, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 36.6-foot registered length wood vessel to engage in the fishery for salmon and albacore.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-3250; Filed, Mar. 15, 1968; 8:49 a.m.]

[Docket No. S-432]

LESTER L. WELLS

Notice of Loan Application

MARCH 13, 1968.

Lester L. Wells, Route 2, Box 1090, Coos Bay, Oreg. 97420, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 47.5-foot registered length wood vessel to engage in the fishery for albacore, cod, flounders, lingcod, Pacific Ocean perch, rockfishes, sablefish, shrimp, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-3251; Filed, Mar. 15, 1968; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

UPLAND COTTON

Notice of Referenda on Out-of-County Transfers by Sale or Lease of 1969 Upland Cotton Farm Acreage Allotments

Notice is hereby given that individual county referenda pursuant to section 344a(b)(ii) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1344(b)(ii)) on the question of transfers out-of-county but within the same State by sale or lease of upland cotton allotments during 1969 shall be conducted by mail ballot during the period May 13-17, 1968, each inclusive, in accordance with the Regulations Governing the Holding of Referenda on Marketing Quotas (7 CFR 717) in the following counties:

ALABAMA

Autauga.	Henry.
Baldwin.	Houston.
Barbour.	Jackson.
Bibb.	Jefferson.
Blount.	Lamar.
Bullock.	Lauderdale.
Butler.	Lawrence.
Calhoun.	Lee.
Chambers.	Limestone.
Cherokee.	Lowndes.
Chilton.	Macon.
Choctaw.	Madison.
Clarke.	Marengo.
Clay.	Marion.
Cleburne.	Marshall.
Coffee.	Mobile.
Colbert.	Monroe.
Conecuh.	Montgomery.
Coosa.	Morgan.
Covington.	Perry.
Crenshaw.	Pickens.
Cullman.	Randolph.
Dale.	Russell.
Dallas.	St. Clair.
De Kalb.	Shelby.
Elmore.	Sumter.
Escambia.	Talladega.
Etowah.	Tallapoosa.
Fayette.	Tuscaloosa.
Franklin.	Walker.
Geneva.	Washington.
Greene.	Wilcox.
Hale.	Winston.

ARIZONA

Cochise.
Gila.
Graham.
Greenlee.
Mohave.
Pima.
Pinal.
Santa Cruz.
Yavapai.
Yuma.

ARKANSAS

Arkansas.
Ashley.
Baxter.
Boone.
Bradley.
Chicot.
Clark.
Clay.
Cleburne.
Cleveland.
Conway.
Craighead.
Crittenden.
Cross.
Dallas.
Desha.
Drew.
Faulkner.
Franklin.
Garland.
Grant.
Greene.
Hempstead.
Independence.
Izard.
Jackson.
Jefferson.
Johnson.
Lafayette.
Lawrence.
Lee.
Lincoln.
Little River.
Logan.
Lonoke.
Marion.
Miller.
Mississippi.
Monroe.
Nevada.
Ouachita.
Phillips.
Pike.
Poinsett.
Polk.
Pope.
Prairie.
Pulaski.
Randolph.
St. Francis.
Saline.
Searcy.
Sebastian.
Sevier.
Sharp.
Stone.
Union.
Van Buren.
Washington.
White.
Woodruff.
Yell.

CALIFORNIA

Fresno.
Imperial.
Kern.
Kings.
Madera.
Merced.
Riverside.
San Bernardino.
San Diego.
Stanislaus.
Tulare.

FLORIDA

Alachua.
Baker.
Bay.
Calhoun.
Clay.
Columbia.
Dixie.
Escambia.
Gadsden.
Hamilton.
Holmes.
Jackson.
Jefferson.
Lafayette.
Liberty.
Madison.
Nassau.
Okaloosa.
Santa Rosa.
Suwannee.
Taylor.
Walton.
Washington.

GEORGIA

Appling.
Atkinson.
Bacon.
Baker.
Baldwin.
Banks.
Barrow.
Bartow.
Ben Hill.
Berrien.
Bibb.
Bleckley.
Brooks.
Bulloch.
Burke.
Butts.
Calhoun.
Candler.
Carroll.
Catoosa.
Charlton.
Chatham.
Chattahoochee.
Chattooga.
Cherokee.
Clarke.
Clay.
Clayton.
Cobb.
Coffee.
Colquitt.
Columbia.
Cook.
Coweta.
Crawford.
Dade.
Dawson.
Decatur.
De Kalb.
Dooly.
Dougherty.
Douglas.
Early.
Effingham.
Elbert.
Emanuel.
Evans.
Fayette.
Floyd.
Forsyth.
Franklin.
Fulton.

GEORGIA—Continued

Gilmer.
Glascock.
Gordon.
Grady.
Greene.
Habersham.
Hall.
Hancock.
Haralson.
Harris.
Hart.
Heard.
Henry.
Houston.
Jackson.
Jasper.
Jeff Davis.
Jefferson.
Jenkins.
Johnson.
Jones.
Lamar.
Lanier.
Laurens.
Lee.
Liberty.
Lincoln.
Long.
Lumpkin.
McDuffie.
McIntosh.
Macon.
Madison.
Marion.
Meriwether.
Miller.
Monroe.
Montgomery.
Morgan.
Murray.
Muscogee.
Newton.
Oconee.
Oglethorpe.
Paulding.
Peach.
Pickens.
Pike.
Polk.
Pulaski.
Putnum.
Quitman.
Randolph.
Richmond.
Rockdale.
Schley.
Screven.
Seminole.
Stephens.
Stewart.
Sumter.
Talbot.
Taliaferro.
Tattnall.
Telfair.
Terrell.
Tift.
Toombs.
Treutlen.
Turner.
Twiggs.
Upson.
Walker.
Walton.
Ware.
Warren.
Washington.
Wayne.
Webster.
Wheeler.
White.
Whitfield.
Wilcox.
Wilkes.
Wilkinson.
Worth.

ILLINOIS

Alexander.
Pulaski.

KANSAS

Montgomery.

KENTUCKY

Ballard.
Calloway.
Carlisle.
Fulton.
Graves.
Hickman.
Marshall.
McCraken.

LOUISIANA

Acadia.
Allen.
Ascension.
Assumption.
Avoyelles.
Bienville.
Bossier.
Caddo.
Calcasieu.
Caldwell.
Cameron.
Catahoula.
Claiborne.
Concordia.
De Soto.
East Baton Rouge.
East Carroll.
East Feliciana.
Evangeline.
Franklin.
Grant.
Iberville.
Jackson.
Jefferson Davis.
Lafayette.
La Salle.
Lincoln.
Livingston.
Madison.
Morehouse.
Natchitoches.
Ouachita.
Pointe Coupee.
Rapides.
Red River.
Richland.
Sabine.
St. Helena.
St. Landry.
St. Martin.
St. Tammany.
Tangipahoa.
Tensas.
Vermillion.
Vernon.
Washington.
Webster.
West Baton Rouge.
West Carroll.
West Feliciana.
Winn.

MISSISSIPPI

Adams.
Alcorn.
Attala.
Benton.
Bolivar.
Calhoun.
Carroll.
Chickasaw.
Choctaw.
Claiborne.

MISSISSIPPI—Continued

Clarke.
Clay.
Coahoma.
Copiah.
Covington.
De Soto.
Forrest.
Franklin.
George.
Greene.
Grenada.
Hancock.
Hinds.
Holmes.
Humphreys.
Issaquena.
Itawamba.
Jackson.
Jasper.
Jefferson Davis.
Jones.
Kemper.
Lafayette.
Lamar.
Lawrence.
Leake.
Lee.
Leflore.
Lincoln.
Lowndes.
Madison.
Marion.
Marshall.
Monroe.
Montgomery.
Neshoba.
Noxubee.
Oktibbeha.
Panola.
Pearl River.
Perry.
Pike.
Pontotoc.
Prentiss.
Quitman.
Rankin.
Scott.
Sharkey.
Simpson.
Smith.
Stone.
Sunflower.
Tallahatchie.
Tate.
Tippah.
Tishomingo.
Tunica.
Union.
Walthall.
Warren.
Washington.
Wayne.
Webster.
Wilkinson.
Winston.
Yalobusha.
Yazoo.

MISSOURI

Butler.
Carter.
Dunklin.
Howell.
Mississippi.
New Madrid.
Oregon.
Pemiscot.
Ripley.
Scott.
Stoddard.
Vernon.
Wayne.

NEVADA

Nye.

NEW MEXICO

Bernalillo.
Chaves.
De Baco.
Dona Ana.
Eddy.
Guadalupe.
Lea.
Luna.
Otero.
Quay.
Roosevelt.
Sierra.
Socorro.
Valencia.

NORTH CAROLINA

Alamance.
Alexander.
Anson.
Beaufort.
Bertie.
Bladen.
Brunswick.
Burke.
Cabarrus.
Caldwell.
Camden.
Catawba.
Chatham.
Chowan.
Cleveland.
Columbus.
Craven.
Cumberland.
Davidson.
Davie.
Duplin.
Durham.
Edgecombe.
Forsyth.
Franklin.
Gaston.
Gates.
Granville.
Greene.
Guilford.
Halifax.
Harnett.
Hertford.
Hoke.
Hyde.
Iredell.
Johnston.
Jones.
Lee.
Lenoir.
Lincoln.
Mecklenburg.
Montgomery.
Moore.
Nash.
New Hanover.
Northampton.
Onslow.
Orange.
Pamlico.
Pasquotank.
Pender.
Person.
Pitt.
Polk.
Randolph.
Richmond.
Robeson.
Rowan.
Rutherford.
Sampson.
Scotland.

NORTH CAROLINA—Continued

Stanly.
Tyrrell.
Union.
Vance.
Wake.
Warren.
Washington.
Wayne.
Wilkes.
Wilson.
Yadkin.

OKLAHOMA

Adair.
Atoka.
Beckham.
Blaine.
Bryan.
Caddo.
Canadian.
Carter.
Cherokee.
Choctaw.
Cimarron.
Cleveland.
Coal.
Comanche.
Cotton.
Creek.
Custer.
Dewey.
Ellis.
Garfield.
Garvin.
Grady.
Greer.
Harmon.
Harper.
Haskell.
Hughes.
Jackson.
Jefferson.
Johnston.
Kingfisher.
Kiowa.
Latimer.
Le Flore.
Lincoln.
Logan.
Love.
McClain.
McCurtain.
McIntosh.
Major.
Marshall.
Murray.
Muskogee.
Nowata.
Okfuskee.
Oklahoma.
Okmulgee.
Osage.
Pawnee.
Payne.
Pittsburg.
Pontotoc.
Pottawatomie.
Pushmataha.
Roger Mills.
Rogers.
Sequoyah.
Stephens.
Tillman.
Tulsa.
Wagoner.
Washington.
Washita.
Woodward.

SOUTH CAROLINA

Abbeville.
Aiken.
Allendale.
Anderson.
Bamberg.
Barnwell.
Beaufort.
Berkeley.
Calhoun.
Charleston.
Cherokee.
Chester.
Chesterfield.
Clarendon.
Colleton.
Darlington.
Dillon.
Dorchester.
Edgefield.
Fairfield.
Florence.
Georgetown.
Greenville.
Greenwood.
Hampton.
Horry.
Kershaw.
Lancaster.
Laurens.
Lee.
Lexington.
McCormick.
Marion.
Marlboro.
Newberry.
Oconee.
Orangeburg.
Pickens.
Richland.
Saluda.
Spartanburg.
Sumter.
Union.
Williamsburg.
York.

TENNESSEE

Bedford.
Benton.
Bradley.
Carroll.
Chester.
Crockett.
Davidson.
Decatur.
Dyer.
Fayette.
Franklin.
Gibson.
Giles.
Grundy.
Hamilton.
Hardeman.
Hardin.
Haywood.
Henderson.
Henry.
Hickman.
Humphreys.
Lake.
Lauderdale.
Lawrence.
Lewis.
Lincoln.
McMinn.
McNairy.
Madison.
Marion.
Maury.
Meigs.
Monroe.
Obion.
Rhea.

TENNESSEE—Continued

Robertson.
Rutherford.
Shelby.
Tipton.
Van Buren.
Warren.
Wayne.
Weakley.
White.
Williamson.
Wilson.

TEXAS

Anderson.
Andrews.
Aransas.
Archer.
Armstrong.
Atascosa.
Austin.
Bailey.
Bastrop.
Baylor.
Bee.
Bell.
Bexar.
Blanco.
Borden.
Bosque.
Bowie.
Brazoria.
Brazos.
Brewster.
Briscoe.
Brooks.
Brown.
Burleson.
Caldwell.
Calhoun.
Callahan.
Cameron.
Camp.
Carson.
Cass.
Castro.
Cherokee.
Childress.
Clay.
Cochran.
Coke.
Coleman.
Collin.
Collingsworth.
Colorado.
Comanche.
Concho.
Cooke.
Coryell.
Cottle.
Crosby.
Culberson.
Dallas.
Dawson.
Delta.
Denton.
De Witt.
Dickens.
Donley.
Duval.
Ector.
Ellis.
El Paso.
Falls.
Fannin.
Fayette.
Fisher.
Floyd.
Foard.
Fort Bend.
Freestone.
Frio.
Gaines.
Galveston.
Garza.
Gillespie.
Glasscock.
Goliad.
Gonzales.
Gray.
Grayson.
Gregg.
Grimes.
Guadalupe.
Hale.
Hall.
Hamilton.
Hansford.
Hardeman.
Hardin.
Harrison.
Hartley.
Haskell.
Hays.
Hemphill.
Henderson.
Hidalgo.
Hill.
Hockley.
Hood.
Hopkins.
Houston.
Howard.
Hunt.
Jack.
Jackson.
Jasper.
Jeff Davis.
Jefferson.
Jim Hogg.
Jim Wells.
Johnson.
Jones.
Karnes.
Kaufman.
Kent.
Kerr.
King.
Kinney.
Kleberg.
Knox.
Lamar.
Lamb.
Lampasas.
Lee.
Leon.
Liberty.
Limestone.
Live Oak.
Llano.
Loving.
Lubbock.
Lynn.
McCulloch.
McLennan.
McMullen.
Madison.
Marion.
Martin.
Mason.
Matagorda.
Medina.
Menard.
Midland.
Milam.
Mills.
Mitchell.
Montague.
Montgomery.
Moore.
Morris.
Motley.
Nacogdoches.
Navarro.
Newton.
Nolan.
Nueces.
Ochiltree.
Oldham.
Palo Pinto.

TEXAS—Continued

Panola.
Parker.
Parmer.
Potter.
Rains.
Randall.
Real.
Red River.
Refugio.
Roberts.
Robertson.
Rockwall.
Runnels.
Rusk.
Sabine.
San Augustine.
San Jacinto.
San Patricio.
San Saba.
Schleicher.
Scurry.
Shackelford.
Shelby.
Smith.
Somervell.
Starr.
Stephens.
Sterling.
Stonewall.
Swisher.
Tarrant.
Taylor.
Terry.
Throckmorton.
Titus.
Tom Green.
Travis.
Trinity.
Tyler.
Upshur.
Upton.
Uvalde.
Val Verde.
Van Zandt.
Victoria.
Walker.
Waller.
Ward.
Washington.
Webb.
Wharton.
Wheeler.
Wichita.
Wilbarger.
Willacy.
Williamson.
Wilson.
Wise.
Wood.
Young.
Zapata.
Zavala.

VIRGINIA

Brunswick.
Charlotte.
Chesapeake.
Dinwiddie.
Franklin.
Greensville.
Isle of Wight.
Lunenburg.
Mecklenburg.
Nansemond.
Prince Edward.
Prince George.
Southampton.
Surry.
Sussex.

Since the record of each transfer of allotment is required under section 344a of the act to be filed with the county committee only during the period beginning June 1 and ending December 31, it is desirable to determine prior to the beginning of such period which counties will permit out-of-county transfers of upland cotton allotments so that farmers may make arrangements for transfers to take effect during 1969. Section 344a of the act provides that these referenda shall be held in conjunction with the upland cotton marketing quota referendum, insofar as practicable. It is not practicable to proclaim an upland cotton national marketing quota for the 1969 crop under section 342 of the act prior to June 1, 1968. The national marketing quota referendum under section 343 of the act cannot be held until the quota has been proclaimed. Accordingly, it is hereby determined to be impracticable to hold the out-of-county transfer referenda in conjunction with the 1969 national marketing quota referendum.

Signed at Washington, D.C., on March 11, 1968.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 68-3165; Filed, Mar. 15, 1968; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

JOHNS HOPKINS UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00319-00-46040. Applicant: Johns Hopkins University, 536 North Wolfe Street, Balitimore, Md. 21205. Article: High tension rectifier for Siemens electron microscope. Manufacturer: Siemens AG, West Germany. Intended use of article: The applicant states: "Generation of high stabilized HT for high resolution electron microscopy." Comments: No comments have been received with respect to this application. Decision: Appication approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is an accessory to an electron microscope now in the applicant's possession, which was manufactured by Siemens Aktiengesellschaft of West Germany.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-3214; Filed, Mar. 15, 1968; 8:46 a.m.]

MICHIGAN STATE UNIVERSITY ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651b; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68-00414-91-28500. Applicant: Michigan State University, East Lansing, Mich. 48823. Article: Free-flow electrophoretic separator and vacuum pressure pump. Manufacturer: Brinkmann Instruments, AG, West Germany. Intended use of article: The articles will be used for electrophoretic separation of proteins. Application received by Commissioner of Customs: February 26, 1968.

Docket No. 68-00415-01-77040. Applicant: The University of Georgia, Department of Chemistry, Athens, Ga. 30601. Article: Mass spectrometer, Model RMU-6. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for specific studies in organic chemistry research. Application received by Commissioner of Customs: February 26, 1968.

Docket No. 68-00416-20-61070. Applicant: The University of Texas at Austin, Box 7306, University Station, Austin, Tex. 78712. Article: Vibrating-wire embedment gauges, comparator and accessories. Manufacturer: Perivale Controls Co., Ltd., United Kingdom. Intended use of article: The article will be used to detect and measure time-dependent deformations of concrete. Application received by Commissioner of Customs: February 26, 1968.

Docket No. 68-00417-00-77025. Applicant: The University of Michigan, Purchasing Office, Research Administration Building, Ann Arbor, Mich. 48105. Article: Neutron Spectrometer Accessories. Manufacturer: Atomic Energy Research Establishment, United Kingdom. Intended use of article: The article will be used in conjunction with the time-of flight neutron spectrometer for measurements in the general areas of solid state and molecular physics. Application received by Commissioner of Customs: February 26, 1968.

Docket No. 68-00418-33-46500. Applicant: Jefferson Medical College, 1025 Walnut Street, Philadelphia, Pa. 19102. Article: LKB 8800A Ultrotome III ultramicrotome. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in both an elective course for medical and graduate students entitled Introduction to Electron Microscopy, and for research problems involving the fine structure and cytochemistry of cells studied by means of electron microscopy. Application received by Commissioner of Customs: February 26, 1968.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Administration.

[F.R. Doc. 68-3208; Filed, Mar. 15, 1968; 8:45 a.m.]

NEWARK COLLEGE OF ENGINEERING AND UNIVERSITY OF TENNESSEE

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68-00410-01-72000. Applicant: Newark College of Engineering, 323 High Street, Newark, N.J. 07102. Article: Weissenberg Rheogoniometer. Manufacturer: Sangamo Controls, Ltd., United Kingdom. Intended use of article: The article will be used for undergraduate and graduate laboratory work in polymer chemistry. Application received by Commissioner of Customs: February 26, 1968.

Docket No. 68-00409-99-03400. Applicant: The University of Tennessee, Knoxville, Tenn. 37916. Article: Auditory training units and filtered speech testing. Manufacturer: Jugosanitarija, Yugoslavia. Intended use of article: The article

will be used for diagnosis and habilitation of preschool deaf children. Application received by Commissioner of Customs: February 26, 1968.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-3210; Filed, Mar. 15, 1968; 8:45 a.m.]

NEW YORK UNIVERSITY MEDICAL CENTER

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00290-00-46040. Applicant: New York University Medical Center, 550 First Avenue, New York, N.Y. 10016. Article: Set of parts for Elmiskop IA with external precision resistor, Part No. EO UM 11 Ap 20. Manufacturer: Siemens AG, West Germany. Intended use of article: Applicant states: "Modification of Siemens electron microscope." Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is an accessory to an electron microscope now in the applicant's possession, which was manufactured by Siemens Aktiengesellschaft of West Germany.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-3213; Filed, Mar. 15, 1968; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00284-00-46040. Applicant: University of California, Lawrence Radiation Laboratory, East End of Hearst Avenue, Berkeley, Calif. 94720. Article: Electron microscope parts and accessories consisting of electron gun, cathode cap, high voltage cable, anode, projector tube, camera chamber with airlock and plate camera for Elmiskop I. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used to alter the performance of an existing electron microscope to form a new lens with sufficient chromatic aberration to enable the electron energy spectra to be resolved and thereby allow researchers to perform chemical analysis down to 50 Angstroms resolution. Comments: No comments have been received with respect to this application. Decision: Application approved. No instruments or apparatus of equivalent scientific value to the foreign articles, for the purposes for which such articles are intended to be used, are being manufactured in the United States. Reasons: The application relates to various spare parts and accessories for an electron microscope, which was manufactured by Siemens A.G. of West Germany, and is in the possession of the applicant.

The Department of Commerce knows of no similar parts and/or accessories being manufactured in the United States, which are interchangeable with the foreign articles.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-3209; Filed, Mar. 15, 1968; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00344-00-46040. Applicant: University of California, San Diego, Purchasing Department, Post Office Box 109, La Jolla, Calif. 92037. Article: Shutter for Siemens electron microscope. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used to accurately preset exposure of photoplates in the electron microscope. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is an accessory to an electron microscope now in the applicant's possession, which was manufactured by Siemens Aktiengesellschaft of West Germany.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-3211; Filed, Mar. 15, 1968; 8:45 a.m.]

YESHIVA UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00300-00-46040. Applicant: Yeshiva University, Purchasing Office, 1300 Morris Park Avenue, Bronx, N.Y. 10461. Article: Exposure meter for Siemens shutter. Manufacturer: Siemens Aktiengesellschaft, West Germany. Intended use of article: Applicant states: "Accurate preset exposure of photoplates in the Siemens Elmiskop." Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign

article is an accessory to an electron microscope now in the applicant's possession, which was manufactured by Siemens Aktiengesellschaft of West Germany.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-3212; Filed, Mar. 15, 1968; 8:45 a.m.]

Office of the Secretary

[Dept. Order 90-B, Amdt. 4]

NATIONAL BUREAU OF STANDARDS

Organization and Functions

This material further amends the material appearing at 31 F.R. 8083 of June 8, 1966, and 32 F.R. 11811 of August 16, 1967.

Department Order 90-B, dated May 16, 1966, is hereby further amended as follows:

1. SEC. 2. *Organization.* (a) A new paragraph .05 is added to read:

.05 The Center for Radiation Research (a) conducts Bureau mission programs important to the Nation in basic standards, materials research, and applied technology utilizing radiation and nuclear scientific techniques; and (b) extends its staff and facility where applicable to all segments of the Bureau, other agencies, industry, and the universities, for the purpose of performing allied and other institutional work utilizing radiation techniques. The Center comprises a series of radiation laboratories, organized primarily according to type of radiation resources.

(b) The present paragraph .05 is renumbered as .06.

2. SEC. 6. *Office of the Associate Director for Technical Support:* Subparagraph .02c. is deleted and the present subparagraphs .02d. and .02e. relettered .02c. and .02d.

3. SEC. 7. *Institute for Basic Standards.* In the introductory statement of paragraph .04 the Radiation Physics Division is deleted.

4. SEC. 8. *Institute for Materials Research.* In the introductory statement of paragraph .04 the Reactor Radiations Division is deleted.

5. A new section 10 is added to read:

SEC. 10. *Center for Radiation Research.*

.01 The Center for Radiation Research constitutes a prime resource within the Bureau for the application of radiation not only to Bureau mission problems, but also to those of other agencies and other institutions. The resulting multipurpose and collaborative type functions reinforce the capability of the Center for response to Bureau mission problems.

.02 The Director, Center for Radiation Research, directs the development, execution, and evaluation of the programs of the Center. The Deputy Director, Center for Radiation Research, assists in the direction of the Center and performs the functions of the Director in the absence of the latter.

.03 The organization units of the Center for Radiation Research are as follows:

Reactor Radiation Division.
Linac Radiation Division.
Nuclear Radiation Division.
Applied Radiation Division.

Each of these divisions engages in research, measurement, and application of radiation to the solution of Bureau and other institutional problems, primarily through collaboration.

Effective date: March 1, 1968.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 68-3215; Filed, Mar. 15, 1968; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18139]

ALITALIA-LINEE AEREE ITALIANE, S.p.A.

Enforcement Proceeding; Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the public hearing in the above-entitled proceeding heretofore assigned to be held on March 19, 1968, is hereby postponed and is now assigned to be held before the undersigned Examiner on April 2, 1968, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., March 13, 1968.

[SEAL] RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 68-3297; Filed, Mar. 15, 1968; 8:50 a.m.]

CIVIL SERVICE COMMISSION

MEDICAL TECHNOLOGISTS, U.S.P.H.S. HOSPITAL, DETROIT, MICH. AND FIREFIGHTERS, GREAT LAKES, ILL.

Notice of Adjustment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established special minimum salary rates and rate ranges as follows:

GS-644 Medical Technologist Series

Geographic coverage: U.S. P.H.S. Hospital, Detroit, Mich.
Effective date: 1st day of the first pay period beginning on or after Mar. 10, 1968.

PER ANNUM RATES

Grade	1[1]	2	3	4	5	6	7	8	9	10
GS-5	$6,867	$7,053	$7,239	$7,425	$7,611	$7,797	$7,983	$8,169	$8,355	$8,541
GS-7	7,409	7,634	7,859	8,084	8,309	8,534	8,759	8,984	9,209	9,434
GS-9	8,323	8,592	8,861	9,130	9,399	9,668	9,937	10,206	10,475	10,744

[1] Corresponding statutory rates: GS-5—8th; GS-7—4th; GS-9—2d.

GS-081 Firefighter (Central)
Firefighter (Structural)
Firefighter (Airfield)

Geographic coverage: Naval Training Center, Great Lakes, Ill., and Federal installations within a 22-mile radius of the Center.
Effective date: 1st day of the first pay period beginning on or after Mar. 10, 1968.

PER ANNUM RATES

Grade	1[1]	2	3	4	5	6	7	8	9	10
GS-3	$5,211	$5,360	$5,509	$5,658	$5,807	$5,956	$6,105	$6,254	$6,403	$6,552
GS-4	5,659	5,825	5,991	6,157	6,323	6,489	6,655	6,821	6,987	7,153
GS-5	6,123	6,309	6,495	6,681	6,867	7,053	7,239	7,425	7,611	7,797
GS-6	6,547	6,752	6,957	7,162	7,367	7,572	7,777	7,982	8,187	8,392
GS-7	6,959	7,184	7,409	7,634	7,859	8,084	8,309	8,534	8,759	8,984

[1] Corresponding statutory rates: GS-3—6th; GS-4—5th; GS-5—4th; GS-6—3d; GS-7—2d.

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68-3280; Filed, Mar. 15, 1968; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

PUBLIC HEALTH SERVICE

Statement of Organization and Functions and Delegations of Authority

Part 4 (Public Health Service) of the Statement of Organization and Functions and Delegations of Authority for the Department of Health, Education, and Welfare (32 F.R. 9739 et seq., July 4, 1967), as amended, is hereby amended as follows:

With regard to section 4–B, Organization and Functions—In the section on the National Institutes of Health (2400), following the paragraph under *Office of International Research (2433)*, insert:

John E. Fogarty International Center for Advanced Study in the Health Sciences (2434). (1) Provides the facility for the assembly of scientists and leaders in the biomedical, behavioral, and related fields for discussion, study, and research relating to the development of science internationally as it pertains to health and its implications and applications for the future, (2) furthers international cooperation and collaboration in the life sciences through its research programs, conferences, and seminars, (3) provides postdoctorate fellowships for training in the United States and abroad and promotes senior scientist exchanges between the United States and other countries, (4) coordinates the NIH activities and functions generally concerned with the health sciences at an international level, and (5) serves as a focal point for foreign visitors to the National Institutes of Health.

Dated: March 12, 1968.

DONALD F. SIMPSON,
Assistant Secretary for Administration.

[F.R. Doc. 68–3238; Filed, Mar. 15, 1968; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN MAIL LINE, LTD. AND PACIFIC INTERNATIONAL LINES, LTD.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. R. Purnell, District Manager, American Mail line, 601 California Street, Suite 610, San Francisco, Calif. 94108.

Agreement 9704, between American Mail Line, Ltd. (AML), and Pacific International Lines, Ltd. (PIL), establishes a through billing arrangement from ports of call of AML in Alaska, Washington, Oregon, and California, to ports of call of PIL in Indonesia with transhipment at Singapore or ports in Malaysia in accordance with terms and conditions set forth in the agreement.

Dated: March 13, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68–3218; Filed, Mar. 15, 1968; [8:45 a.m.]

SOUTH AND EAST AFRICA RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. William L. Hamm, Secretary, South and East Africa Rate Agreement, 25 Broadway, New York, N.Y. 10004.

Agreement No. 8054–7, among member lines of the South and East Africa Rate Agreement amends the basic agreement to provide for a non-reimbursable admission fee by adding a new article 3(b)(1), which reads as follows:

Every application for admittance shall be accompanied by agreement to pay into the Conference funds, at the time of admittance, a nonreimbursable fee of $5,000. The fee shall be credited to the basic Conference expenses of the members in the proportion paid by the respective members in the year prior to admittance of the new member. Should the member withdraw and apply for re-admittance within 6 months then the fee will be waived for the initial readmittance only.

Dated: March 13, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68–3220; Filed, Mar. 15, 1968; 8:46 a.m.]

STRAITS/NEW YORK CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of Agreement Filed for Approval by:

Mr. R. J. Flynn, Chairman, New York Committee of Inward Far East Lines, 11 Broadway, New York, N.Y. 10004.

Agreement No. 6010–13, between the member lines of Straits/New York Conference, amends the basic Agreement 6010, as amended, by the addition of Article 10(m) which expresses the member lines responsibility for the acts of their employees, agents, subagents, affiliates and subsidiaries in maintaining and adhering to the Conference Agreement, tariff, rules and regulations issued thereunder. In addition the provisions of Article 10(m) allow the parties and their agents with chartering departments to act as brokers and husbanding agents in transactions sanctioned by the Conference as described therein. It is the Commission's understanding that the purpose of the modification is to prohibit

the agents of the parties from representing non-Conference carriers operating in the trade covered by the basic agreement.

Dated: March 13, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-3242; Filed, Mar. 15, 1968; 8:48 a.m.]

TRANS-PACIFIC PASSENGER CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Ronald C. Lord, Secretary-Chairman, Trans-Pacific Passenger Conference, 2 Pine Street, San Francisco, Calif. 94111.

Agreement No. 131-246 between the member lines of the Trans-Pacific Passenger Conference modifies Bylaw A-9 of the basic agreement concerning the sharing of conference maintenance expenses by clarifying the definition of Regular Member Company for the purposes of this bylaw as "including wholly owned subsidiaries".

Dated: March 13, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-3221; Filed, Mar. 15, 1968; 8:46 a.m.]

UNITED STATES/SOUTH AND EAST AFRICA CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. William L. Hamm, Secretary, United States/South and East Africa Conference, 25 Broadway, New York, N.Y. 10004.

Agreement No. 9502-3, among member lines of the United States/South and East Africa Conference amends the basic agreement to provide for a nonreimbursable admission fee by adding a new Article 8(b)(1), which reads as follows:

Every application for admittance shall be accompanied by agreement to pay into the Conference funds, at the time of admittance, a nonreimbursable fee of $5,000. The fee shall be credited to the basic Conference expenses of the members in the proportion paid by the respective members in the year prior to admittance of the new member. Should the member withdraw and apply for readmittance within 6 months then the fee will be waived for the initial readmittance only.

Dated: March 13, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-3222; Filed, Mar. 15, 1968; 8:46 a.m.]

[Docket No. 68-8]

CONTAINER MARINE LINES

Rescheduling of Procedural Dates

Disposition of Container Marine Lines through intermodal Container Freight Tariffs Nos. 1 and 2, FMC Nos. 1 and 2.

Counsel for Container Marine Lines has requested that filing of reply briefs in this proceeding be postponed from March 13, 1968, to March 20, 1968, and that a corresponding postponement be granted for the oral argument currently scheduled for March 20, 1968. As ground therefor, counsel states that CML's bill of lading will not be prepared in sufficient time to meet the current schedule. In addition, counsel states that the effective date of the CML tariffs under investigation herein is being extended to April 22, 1968.

Good cause appearing, time for filing reply briefs is enlarged to and including March 20, 1968. Oral argument is rescheduled to be heard April 2, 1968, beginning at 9:30 a.m., in Room 114, 1321 H Street NW., Washington, D.C.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 68-3219; Filed, Mar. 15, 1968; 8:45 a.m.]

TARIFF COMMISSION

[APTA-W-22; TC Publication 236]

CERTAIN WORKERS OF C. M. HALL LAMP CO., DETROIT, MICH.

Report to Automotive Agreement Adjustment Assistance Board in Adjustment Assistance Case

MARCH 13, 1968.

The Tariff Commission today reported to the Automotive Agreement Adjustment Assistance Board the results of its investigation No. APTA-W-22, conducted under section 302(e) of the Automotive Products Trade Act of 1965. The Commission's report contains factual information for use by the Board, which determines the eligibility of the workers concerned to apply for adjustment assistance. The workers in this case were employed in the Detroit, Michigan, plant of the C. M. Hall Lamp Co.

Only certain sections of the Commission's report can be made public since much of the information it contains was received in confidence. Publication of such information would result in the disclosure of certain operations of individual firms. The sections of the report that can be made public are reproduced on the following pages.

Introduction. In accordance with section 302(e)(3) of the Automotive Products Trade Act of 1965 (79 Stat. 1016), the U.S. Tariff Commission herein reports the results of investigation No. APTA-W-22, which was ordered in response to a request from the Automotive Agreement Adjustment Assistance Board. The Board's request resulted from a petition for adjustment assistance filed with the Board on January 18, 1968, by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, and its Local No. 304, on behalf of a group of workers employed by the C. M. Hall Lamp Co. in Detroit, Mich.

The petition alleges that beginning April 24, 1967, approximately 150 workers were permanently laid off as a result of the discontinuance of the manufacture of certain die-cast automotive parts in the Detroit plant of the C. M. Hall Lamp Co. and the transfer of most of these operations to its plant in Bramalea, Ontario, Canada—Hudson Bay Die Casting Co. The petition alleges that a company officer stated at a company-union meeting that the transfer to Canada was necessary in order to keep the

company competitive, and that the company would lose contracts if the transfer were not made.

The Commission instituted the investigation upon receipt of the Board's request on January 23, 1968. Public notice of the investigation was given by publication in the FEDERAL REGISTER (33 F.R. 2405) on January 31, 1968. Neither the petitioners nor any other party requested a public hearing, and none was held.

The information reported herein was obtained from the Commission's files, the union local concerned, the C. M. Hall Lamp Co., the Michigan Employment Security Commission, the Bureau of Customs, and by fieldwork by members of the Commission's staff.

The automotive products concerned. The automotive products with which this investigation is concerned consist of zinc alloy die castings (hereinafter referred to as die-cast parts or components) for the assembly of sideview mirrors and taillamps. Specifically, the die-cast components for taillamps consist of housings and bezels; those for sideview mirrors consist primarily of housings and arms. The taillamp housing provides the socket for the lamp bulb and also serves as a reflector for it. The taillamp bezel is the rim or frame which holds the lens of the taillamp in place. The lens bezel, which may be produced as an integral part of the lamp bezel, is a small die casting attached directly to the lens for decorative purposes. The sideview mirror housing is the frame and backing which encases the mirror glass; the sideview mirror arm supports the mirror housing and is used to attach the mirror to the vehicle. Other die-cast parts for sideview mirrors include the swivel for adjusting the mirror, and various parts of the remote control apparatus for mirrors which can be adjusted from within the vehicle. While the arm and housing of a sideview mirror may be die cast as one piece, such mirrors usually are assembled from two or more die-cast parts. Since the taillamp and lens bezels and the sideview mirror are located on the exterior of the vehicle, they are usually chrome plated both to enhance their appearance and to increase their resistance to corrosion.

Die-cast parts are made by forcing molten metal into a mold or "die" under extreme pressure. After the metal has cooled and solidified, the die is separated and the casting ejected. From the die-cast machine the casting is transferred to a trim press for "blanking,"—i.e., the removal of excess metal. The die castings are then usually deburred, tapped or drilled and, if necessary, plated, buffed, or otherwise readied for final assembly.

The development of the domestic automotive industry provided a large market for die castings—particularly because a great number of parts (ranging from very small to large items) readily lend themselves to die-casting techniques. High injection pressures make possible the production of smooth, uniform parts which have high dimensional accuracy, and which require little additional processing. Frequently, the removal of excess metal by trim presses is the only additional finishing performed. While stamping permits greater output per hour and lower costs per unit than die casting, the latter is generally preferred where intricate parts are involved. Moreover, the output of die-cast parts has been speeded by the use of multiple impression dies, automatic charging and ejection processes, and elaborate electronic timing and cooling devices to increase the production cycle.

Zinc alloy die castings have generally been used for the production of sideview mirrors and taillamp assemblies for use on automobiles. Those for trucks and buses, where appearance is somewhat less critical, are generally made by stamping. In the very recent past, increasing use has been made of plastics in the production of some of the products. Successful processes have been developed for plating plastics materials which are lighter, have a lighter resistance to corrosion than zinc alloys, and are substantially less costly to produce. While the use of plastics for such products has been inhibited by difficulties with respect to deeply sculptured items, increasing quantities are being utilized for taillamp and lens bezels and it is anticipated by the industry that plastics materials will be utilized to an increasing extent in the future for exterior fixtures. Although aluminum die castings and stampings have been used for these components from time to time, this material, because of its relatively high cost, has never gained widespread acceptance.

U.S. tariff treatment. Imports of zinc die-cast parts for taillamp assemblies and for sideview mirror assemblies, if Canadian articles for use as original motor-vehicle equipment, are free of duty under items 683.66 and 647.02, respectively, of the Tariff Schedules of the United States. Imports of such parts not covered by the United States-Canadian automotive agreement are dutiable under items 683.65 and 647.01. Before January 1, 1968, when the first stage of the Kennedy Round concessions became effective, such articles were dutiable at 8.5 percent ad valorem. The current rate of duty is 7.5 percent ad valorem; the final Kennedy Round rate, effective January 1, 1972, will be 4 percent ad valorem.

The C. M. Hall Lamp Co. The C. M. Hall Lamp Co. (referred to elsewhere in this report as C. M. Hall), is incorporated in Michigan and has its headquarters in Detroit. It is one of a number of companies engaged in the production of lighting equipment, sideview mirrors, and other assembled accessories for the auto industry. The company was founded in 1909, * * *

The market for the products manufactured by C. M. Hall depends largely upon the demand for domestically produced automobiles. In addition to being subject to the year-to-year fluctuation in the demand for motor vehicles, the volume of production is greatly affected by design changes, policy shifts by the major automotive producers with respect to the purchase or internal production of such components, and year-to-year shifts in the share of the market accounted for by the major producing companies. Competition for the annual contracts let by the major producers is keen among independent parts suppliers and their profit margins generally are low. The success or failure of such concerns depends materially on their flexibility in adjusting to design changes and on their ability to meet efficiently the volatile demand for the products in which they tend to specialize.

During 1962–65 the annual net sales of C. M. Hall increased without interruption, and at an increasing rate, from about $10.9 million to $14.7 million. In 1966, the firm's net sales totaled $15.2 million. The company had a deficit of $56,000 in 1962, earned $172,000 on net income in 1963, and lost $334,000 in 1964.[1] Its net income in 1965 totaled $413,000 (2.8 percent of total net sales) and in 1966, $421,000 (2.7 percent of sales).

Statistical data on United States-Canadian production and trade pertinent to a determination under the Act. Pursuant to the provisions of section 302(b) of the Automotive Products Trade Act, the Tariff Commission obtained, by questionnaire, data for the model years 1964–67 on both United States and Canadian production and trade in die castings used for the assembly of taillamps and sideview mirrors. Such data were supplied by each major producer of motor vehicles in the United States and Canada. Coupled with the data obtained from C. M. Hall, such information provides an indication of the recent trend in the United States and Canadian output of such components, of U.S. exports to Canada, and of U.S. imports from that country. * * * The data indicate that United States and Canadian production, U.S. imports from Canada, and U.S. exports to Canada were all substantially larger in the last 5 months of 1967 than in the comparable period of the 1964 model year. * * *

By direction of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 68-3248; Filed, Mar. 15, 1968; 8:48 a.m.]

[1] According to its annual report to stockholders, virtually all of the 1964 loss was attributable to changes in inventory practices.

FEDERAL POWER COMMISSION

[Docket Nos. G–10164 etc.]

GULF OIL CORP.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MARCH 7, 1968.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 29, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificate or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to 18 CFR 2.56, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G–10164 C 2–26–68	Gulf Oil Corp. Post Office Box 1589, Tulsa, Okla. 74102.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., South Timballer Area, Offshore Louisiana.	21.25	15.025
CI60–657 D 2–23–68	Mobil Oil Corp., Post Office Box 2444, Houston, Tex. 77001.	Texas Gas Transmission Corp., Calhoun Field, Ouachita Parish, La.	(1)	
CI61–1238 E 2–21–68	Herman George Kaiser (successor to Continental Oil Co.), 909 Palace Bldg., Tulsa, Okla. 74103.	Northern Natural Gas Co., Hugoton Field, Finney County, Kans.	12.0	14.65
CI63–234 C 2–23–68	Mobil Oil Corp. (Operator), et al.	Arkansas Louisiana Gas Co., Red Oak Area, Le Flore County, Okla.	15.0	14.65
CI65–715 E 2–20–68	A. A. Pursley (successor to Stonestreet Lands Co. et al.) Box 51, Leroy, W. Va. 25252.	Consolidated Gas Supply Corp., De Kalb District, Gilmer County, W. Va.	25.0	15.325
CI65–1305 E 2–20–68	do	do	25.0	15.325
CI67–282 2–7–68 [2]	Diamond Shamrock Corp. (formerly Diamond Alkali Co.), Post Office Box 631, Amarillo, Tex. 79105.	Panhandle Eastern Pipe Line Co., Borchers Area, Meade County, Kans.	[3] 16.0	14.65
CI67–360 C 2–9–68	Prenalta Corp. (Operator) et al. Post Office Box 2514, Casper, Wyo. 82601	Colorado Interstate Gas Co., Desert Springs Area, Sweetwater County, Wyo.	15.0	14.65
CI67–694 C 2–16–68 [4]	Transcon Corp., Operator, 801 First National Bldg., Oklahoma City, Okla. 73102.	Northern Natural Gas Co., West Clear Lake Field, Beaver County, Okla.	15.0	14.65
CI67–1354 2–7–68 [2]	Diamond Shamrock Corp. (formerly Diamond Alkali Co.).	Northern Natural Gas Co., Sheetz Unit, Mead County, Kans.	16.0	14.65
CI67–1778 C 2–8–68	Willard E. Ferrell, agent for Harmony Development Co., Post Office Box 5056, Philadelphia, Pa. 19111.	Equitable Gas Co., Buckhannon District, Upshur County, W. Va.	25.0	15.325
CI68–503 C 2–23–68	Rhodes & Hicks Drilling Corp. (Operator) et al., Post Office Drawer. 1579, Alice, Tex. 78332.	Valley Gas Transmission, Inc., West Dinero Field, Live Oak County, Tex.	15.0	14.65
CI68–1013 A 2–23–68	Mack R. Worl, c/o John S. Holy, attorney, Post Office Box 643, Weston, W. Va. 26452.	Equitable Gas Co., Troy District, Gilmer County, W. Va.	25.0	15.325
CI68–1014 A 2–23–68	Walter Duncan, Box 211, La Salle, Ill. 61301.	United Fuel Gas Co., acreage in Kanawha County, W. Va.	27.5	15.325
CI68–1015 A 2–23–68	Edwin L. Cox, 3800 First National Bank Bldg., Dallas, Tex. 75202.	Natural Gas Pipeline Co. of America, acreage in Texas County, Okla.	[5] 19.908	14.65
CI68–1016 A 2–23–68	Rex Gas Co., c/o James S. Ray, coowner, 718 Kanawha Valley Bldg., Charleston, W. Va. 25301.	United Fuel Gas Co., Rocky Fork Field, Kanawha County, W. Va.	27.5	15.325
CI68–1017 A 2–23–68	Edwin L. Cox, 3800 First National Bank Bldg., Dallas, Tex. 75202.	Panhandle Eastern Pipe Line Co., Feldman (Upper Morrow) Field, Hemphill County, Tex.	[3] 17.0	14.65
CI68–1018 A 2–23–68	Stroud Brothers Oil Co., Box 68, Joinerville, Tex. 75658.	United Fuel Gas Co., Rocky Fork Field, Kanawha County, W. Va.	27.5	15.325
CI68–1019 A 2–21–68	Douglas Resources Corp., 310 Kermac Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., Fargo Field, Ellis County, Okla.	[3] 17.0	14.65
CI68–1020 A 2–23–68	J. M. Huber Corp., 2401 East Second Ave., Denver, Colo. 80206.	Panhandle Eastern Pipe Line Co., Feldman (Upper Morrow) Field, Hemphill County, Tex.	[3] 17.0	14.65
CI68–1021 A 2–23–68	Ozark-Mahoning Co., Suite 203 415 West Eighth St., Amarillo, Tex. 79101.	Michigan Wisconsin Pipe Line Co., Woodward Area, Major County, Okla.	[6] 20.514	14.65
CI68–1022 A 2–23–68	Tenneco Oil Co., Post Office Box 2511, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Ship Shoal Blocks 167, 169, and 182 Fields, Offshore Terrebonne Parish, La.	19.5	15.025
CI68–1023 (G–13096) F 2–9–68	William C. Russell (successor to Great Lakes Natural Gas Corp.), 1775 Broadway, New York, N.Y. 10019.	El Paso Natural Gas Co., Chacra Wildcat, San Juan County, N. Mex.	12.0	15.025
CI68–1024 A 2–19–68	Frank H. Walsh, Post Office Box 30, Sterling, Colo. 80751.	Kansas-Nebraska Natural Gas Co., Inc., Amber Field, Logan County, Colo.	[7] 14.0	16.4
CI68–1025 B 2–19–68	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla. 74102.	El Paso Natural Gas Co., King Plant, Lea County, N. Mex.	Uneconomical	----------
CI68–1027 A 2–26–68	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	Transcontinental Gas Pipe Line Corp., Block 274 Field, Ship Shoal Area, Gulf of Mexico.	20.5	15.025
CI68–1028 A 2–26–68	Mareve Oil Corp., Post Office Box 471, Spencer, W. Va. 25276.	Consolidated Gas Supply Corp., Lincoln District, Tyler County, W. Va.	25.0	15.325

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI68-1029 A 2-26-68	Scull & Rogers, c/o Lendol Rogers, agent, Arnoldsburg, W. Va. 25234.	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	25.0	15.325
CI68-1030 A 2-26-68	Joey Jay Enterprises, Inc., 62 North Abney Circle, Charleston, W. Va. 25301.	United Fuel Gas Co., Rocky Fork Field, Kanawha County, W. Va.	27.5	15.325
CI68-1031 A 2-23-68	Burdette Oil & Gas Co., Inc., 7½ Spring St., Charleston, W. Va. 25302.	United Fuel Gas Co., acreage in Putnam County, W. Va.	28.0	15.325
CI68-1032 A 2-26-68	J & J Enterprises, Inc., 518 Allegheny Ave., Avonmore, Pa. 15618.	Consolidated Gas Supply Corp., Philippi District, Barbour County, W. Va.	25.0	15.325
CI68-1033 B 2-23-68	Viersen & Cochran (Operator) et al., Post Office Box 280, Okmulgee, Okla. 74447.	Arkansas Louisiana Gas Co., acreage in Grant County, Okla.	Depleted	----------
CI68-1034 A 2-21-68	S. A. Story, Post Office Box 1556, Corpus Christi, Tex. 78403.	Banquete Gas Co., a division of Crestmont Oil & Gas Co., Plymouth 5,100' Field Area, San Patricio County, Tex.	8.0	14.65
CI68-1035 (CI60-342) F 2-21-68	Collis P. Chandler, Jr. (Operator) et al. (successor to Houston Petroleum Co.), 1401 Denver Club Bldg., Denver, Colo. 80202.	Panhandle Eastern Pipe Line Co., Grunder Pool, Stafford County, Kans.	15.0	14.65
CI68-1036 A 2-26-68	Lone Star Producing Co., 301 South Harwood St., Dallas, Tex. 75201.	Cities Service Gas Co., acreage in Woodward County, Okla.	[8] 14.0	14.65
CI68-1037 A 2-19-68	John G. Cody, 631 Jefferson Ave., Huntington, W. Va. 25704.	United Fuel Gas Co., Breeden Creek, Mingo County, W. Va.	16.0	15.325
CI68-1038 A 2-26-68	Tenneco Oil Co	El Paso Natural Gas Co., San Juan Basin, San Juan County, N. Mex.	12.0	15.025
CI68-1039 A 2-26-68	Dan E. Archer and Delbert Davis, Post Office Box 863, Perryton, Tex. 79070.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	17.0	14.65
CI68-1040 A 2-26-68	Winnie Fae Morris et al., 429 Penn Ave. Harrisville, W. Va. 26362.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
CI68-1041 A 2-27-68	Federal Oil & Gas Co. et al., c/o William C. Hurtt, president, 1715 Grant Bldg., Pittsburgh, Pa. 15219.	Consolidated Gas Supply Corp., Courthouse District, Taylor County, W. Va.	25.0	15.325
CI68-1042 A 2-27-68	Boyd & Shriver et al., Rooms 6-8 Rend Bldg., South Seventh St., Indiana, Pa. 15701.	Consolidated Gas Supply Corp., East Mahoning Township, Indiana County, Pa.	25.0	15.325
CI68-1043 A 2-27-68	Richard L. Bohnsack, et al., Glenville, W. Va. 26351.	Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI68-1044 (G-14753) (G-13642) 2-23-68 [9]	Texaco, Inc., Post Office Box 52332, Houston, Tex. 77052.	Transcontinental Gas Pipe Line Corp., Point Au Fer Field, Terrebonne Parish, La.	20.625	15.025
CI68-1045 A 2-27-68	White Gas Co. et al., c/o Joseph White, partner, Box 326, Man, W. Va. 25635.	Consolidated Gas Supply Corp., Triadelphia District, Logan County, W. Va.	25.03	15.325
CI68-1046 A 2-27-68	Lock 3 Oil, Coal & Dock Co. et al., 415 Porter Bldg., Pittsburgh, Pa. 15219.	Consolidated Gas Supply Corp., Warren District, Upshur County and Union District, Barbour County, W. Va.	25.0	15.325
CI68-1047 A 2-23-68	North Central Oil Corp., Suite 1000, 1300 Main St., Houston, Tex. 77002.	Texas Gas Transmission Corp., North Branch Field, Acadia Parish, La.	21.25	15.025
CI68-1048 A 2-28-68	Bear Run Development Co., c/o Robert E. Fox, attorney in fact, 311 South Spring St., Harrisville, W. Va. 26362.	Consolidated Gas Supply Corp., Collins Settlement District, Lewis County, W. Va.	25.0	15.325

[1] Acreage released to landowners.
[2] Amendment to certificate filed to reflect change in corporate name.
[3] Subject to upward and downward B.t.u. adjustment.
[4] Amendment to certificate for authorization to gather gas from additional acreage.
[5] Includes 1.908 cents upward B.t.u. adjustment.
[6] Includes 5.2 percent tax reimbursement.
[7] Subject to retention by Purchaser of 4 cents per Mcf until recovery of total investment in facilities constructed by it.
[8] Subject to deduction for compression and/or dehydration charges.
[9] Applicant is filing for certificate to continue the sale of gas from its interest in the producing properties, which gas was previously sold by Sunray DX Oil Co. and Mobil Oil Corp. under their respective certificates in Docket Nos. G-14753 and G-13642.

[F.R. Doc. 68-3157; Filed, Mar. 15, 1968; 8:45 a.m.]

[Docket No. CP68-243]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

MARCH 12, 1968.

Take notice that on March 4, 1968, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky. 42301, filed in Docket No. CP68-243 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to increase its Contract Demands to 56 of its existing customers for the heating seasons of 1968-69 and 1969-70 and to construct, operate, and relocate facilities, all as more fully set forth in the application which is on file with the Commisison and open to public inspection.

Specifically, the Applicant's proposed increase in Contract Demand will total 100,348 Mcf of which 46,810 Mcf is proposed for the 1968-69 winter heating season and 53,538 Mcf is proposed for the 1969-70 winter heating season. No new customers are proposed to be served in the instant application.

The facilities proposed to be constructed and operated are as follows:

(1) Approximately 50.66 miles of 36-inch loop pipeline in Louisiana, Arkansas, Mississippi, Tennessee, and Kentucky;

(2) Approximately 26.40 miles of 30-inch loop pipeline in Louisiana and Kentucky;

(3) One 12,000 horsepower compressor unit in the Pineville, La., compressor station;

(4) One 11,000 horsepower compressor unit in the Columbia, La., compressor station;

(5) Two 2,000 horsepower compressor units in the Lafayette, La., compressor station; and

(6) A new 2,000 horsepower compressor station near Morgan City, La.

Applicant also requests authority to relocate one 1,320 horsepower unit to the Midland Field, Ky., compressor station from the Haughton, La., compressor station.

Estimated cost of the proposed facilities is $22,036,000 to be financed initially through short-term borrowings and permanently financed with long-term debt.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before April 8, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-3216; Filed, Mar. 15, 1968; 8:45 a.m.]

[Docket Nos. RI68-500 etc.]

MARATHON OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

MARCH 8, 1968.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before April 24, 1968.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI68-500	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	48	2	Natural Gas Pipeline Co. of America (Southeast Boyd Field, Beaver County, Okla.) (Panhandle Area).	$5	2-16-68	[2] 3-18-68	[3] 3-19-68	[6] 17.0	[4 5 6 7] 17.015	RI66-33.
	do	50	3	Panhandle Eastern Pipe Line Co. (Barby "C" and Hamilton Units, Glenwood Area, Beaver County, Okla.) (Panhandle Area).	6	2-16-68	[2] 3-18-68	[3] 4-19-68	[8] 18.309	[4 5 7 8] 18.324	
RI68-501	Kingwood Oil Co., 100 Park Avenue Bldg., Oklahoma City, Okla. 73102.	23	2	Oklahoma Natural Gas Gathering Corp.[9] (South Ringwood Field, Major County, Okla.) (Oklahoma "Other" Area).	132	2-12-68	[10] 2-12-68	[3] 2-13-68	11.0	[5 11] 12.0	

[2] The stated effective date is the first day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Tax reimbursement increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Subject to a downward B.t.u. adjustment.
[7] Includes 0.015-cent tax reimbursement.
[8] Includes base rate of 17 cents plus upward B.t.u. adjustment (1,077 B.t.u. gas). Base rate subject to upward and downward B.t.u. adjustment.
[9] Oklahoma Natural is classified as a pipeline company in its certificate (Docket No. CI61-1408) for resale of the gas to Cities Service Gas Co. at an initial rate of 17 cents. Oklahoma Natural's related increase to 18.5 cents has been approved; however, Oklahoma Natural must flow through any refunds made by its suppliers.
[10] The stated effective date is the date of filing.
[11] Periodic rate increase.

[F.R. Doc. 68-3258; Filed, Mar. 15, 1968; 8:49 a.m.]

[Project No. 2082]

PACIFIC POWER & LIGHT CO.

Notice of Application for License for Constructed Project

MARCH 12, 1968.

Public notice is hereby given that application for amendment of license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Pacific Power & Light Co. (correspondence to: E. Robert de Luccia, Senior Vice President, Portland, Oreg. 97204) for constructed Project No. 2082, located on the Klamath River, in Klamath County, Oreg.

The amendment seeks to include in the license the constructed Fall Creek Development located on Fall Creek, a tributary of Klamath River, in Siskiyou County, Calif., in the vicinity of Yreka, Calif.

The existing Fall Creek Development consists of: (1) A timber-crib diversion dam 80 feet long and 4 feet high; (2) an unlined canal 9 feet wide, 3 feet deep and approximately 4,560 feet long; (3) a forebay and intake structure; (4) a steel penstock 36-30 inches in diameter; (5) an indoor powerhouse containing three generating units with a total capacity of 2,200 kw.; (6) three 833 kv.-a. outdoor-type transformers; (7) a tailrace channel about 500 feet long; and (8) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is May 8, 1968. The application is on file with the Commission for Public inspection.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 68-3254; Filed, Mar. 15, 1968; 8:49 a.m.]

[Docket No. CP68-241]

UNITED GAS PIPE LINE CO. AND TEXAS EASTERN TRANSMISSION CORP.

Notice of Application

MARCH 11, 1968.

Take notice that on March 4, 1968, United Gas Pipe Line Co., Post Office Box 1407, Shreveport, La. 71102 and Texas Eastern Transmission Corp., Post Office Box 2521, Houston, Tex. 77001 (Applicants), filed in Docket No. CP68-241 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of an additional delivery point for the delivery of gas to United Gas Pipe Line Co. (United) in Claiborne Parish, La., pursuant to exchange agreements on file with the Commission, all as more fully set forth in the application which

is on file with the Commission and open to public inspection.

Specifically, United is to construct 0.18 mile of 6-inch pipeline, orifice meter and regulator station, and appurtenant facilities to provide tie-over from Texas Eastern Transmission Corp.'s (Texas Eastern) 20-inch line to United's 10-inch line.

Texas Eastern is to construct a 6-inch tap valve on its 20-inch main line to tie into the facilities proposed to be constructed by United.

Total estimated cost of the facilities is $22,200 with United paying $18,200 and Texas Eastern paying $4,000. Financing is to be out of general funds.

The application further states that the proposal will serve to provide greater flexibility for both pipeline systems.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before April 8, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-3255; Filed, Mar. 15, 1968; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-6 (Rev. 3), Southwestern Area, Amdt. 3]

BRANCH MANAGER, HARLINGEN, TEX.

Delegation of Authority To Conduct Program Activities in the Southwestern Area

Pursuant to the authority delegated to the Area Administrators by Delegation of Authority No. 30 (Revision 12), 32 F.R. 179, and Amendment 1, 32 F.R. 8113, Delegation of Authority No. 30-6 (Revision 3), Southwestern Area, 32 F.R. 9593, dated July 1, 1967, and 32 F.R. 13841, dated October 4, 1967, and 33 F.R. 2910, dated February 13, 1968, is hereby amended by revising Item III. A. (1) and (2) to read as follows:

III. * * *

A. * * *

1. To approve or decline direct loans not in excess of $50,000 and participation loans not in excess of $50,000 (SBA share), and economic opportunity loans not in excess of $25,000 (SBA share).

2. To approve or decline disaster loans not in excess of $350,000 (SBA share).

* * * * *

Effective date: March 10, 1968.

ROBERT E. WEST,
Area Administrator.

[F.R. Doc. 68-3228; Filed, Mar. 15, 1968; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

MARCH 13, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41259—*Iron or steel pipe from Sault Ste. Marie, Ontario, Canada to Milwaukee, Wis.* Filed by Soo Line Railroad Co. (No. 95), for interested rail carriers. Rates on pipe, iron, or steel, 14 inches or less in diameter, in carloads, minimum 120,000 pounds, from Sault Ste. Marie, Ontario, Canada, to Milwaukee, Wis.

Grounds for relief—Water competition.

Tariff—Supplement 17 to Soo Line Railroad Co. tariff ICC 7651.

By the Commission

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-3245; Filed, Mar. 15, 1968; 8:48 a.m.]

[Special Permission No. 68-4000; Amdt. No. 1]

[Ex Parte No. 259]

INCREASED FREIGHT RATES, 1968

Order. At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 12th day of March 1968.

Upon further consideration of the matters and things involved in Special Permission No. 68-4000, entered by the Commission March 8, 1968, and upon consideration of a petition dated March 11, 1968, filed by Edward A. Kaier, for and on behalf of petitioners in Ex Parte No. 259, for modification of Special Permission No. 68-4000, so as to permit the filing of (1) connecting-link supplements, (2) tariffs or supplements of specific increased rates or charges, or (3) specific publication in tariffs or supplements subjecting the rates and charges to the provision of a master tariff, all as specifically included in paragraphs 1(b), 1(c), and 1(d), upon less than the 75 days' notice required by Special Permission No. 68-4000;

and good cause appearing therefor:

It is ordered, That Special Permission No. 68-4000, entered as aforestated, be and it is hereby, modified so as to provide that connecting-link supplements, tariffs or supplements including specific increased rates or charges, or tariff publications providing therein for increases provided in a master tariff, all as specifically described in paragraphs 1(b), 1(c), and 1(d), may be filed to become effective on not less than 60 days' notice to the Commission and to the public, but not earlier than May 27, 1968.

It is further ordered, That except as herein modified and amended, Special Permission No. 68-4000, shall be, and remain, in full force and effect.

By the Commission, Division 2.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-3244; Filed, Mar. 15, 1968; 8:48 a.m.]

[Notice 567]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 13, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 3252 (Sub-No. 47 TA), filed March 6, 1968. Applicant: PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine 04103. Applicant's representative: Francis E. Barrett, Jr., 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Petroleum products,* in bulk, in tank vehicles, (1) from Plattsburg, N.Y., to Grand Isle,

Highgate Center, Hyde Park, Isle La Motte, Johnson, North Hero, St. Albans, and South Alburg, Vt.; (2) from Whitehall, N.Y., to St. Albans, Vt., and (3) from Westport, N.Y., to Barre, East Montpelier, Essex Junction, Ferrisburg, Huntington, Johnson, Brandon, Jonesville, Rochester, Morrisville, Stowe, Plainfield, Roxbury, Starksboro, Warren, and Williston, Vt., for 150 days. Supporting shipper: Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017. Send protests to: Donald G. Weiler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Portland, Maine 04112.

No. MC 102295 (Sub-No. 14 TA), filed March 6, 1968. Applicant: GUY HEAVENER, INC., 480 School Lane, Harleysville, Pa. 19438. Applicant's representative: V. Baker Smith, 123 South Broad Street, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery refuse and sweepings for feed*, from Franconia Township, Montgomery County, Pa., North Penn Hide Co., and Greater Valley Feed Co., Hilltown Township, Bucks County, Pa., to Manchester, Conn., for 150 days. Supporting shipper: General Connecticut Cooperative Farmers Association, Inc., 10 Apel Place, Manchester, Conn. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 103993 (Sub-No. 324 TA), filed March 6, 1968. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Ralph H. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *House boats*, designed to be drawn by passenger automobiles, in initial movements, from points in Hamilton County, Tenn., to points in Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Massachusetts, Maryland, Michigan, Mississippi, Louisiana, Missouri, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, California, and District of Columbia, for 180 days. Supporting shipper: Stardust Cruiser Manufacturing Co., 806 North Holtzclaw Avenue, Post Office Box 5262, Chattanooga, Tenn. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

No. MC 107757 (Sub-No. 29 TA), filed March 6, 1968. Applicant: M. C. SLATER, INC., Post Office Box 369, Granite City, Ill. 62041. Applicant's representative: Bernard G. Colby, One North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of the Jones & Laughlin Steel Corp., Putnam County, Ill., to points in Missouri, for 150 days. Supporting shipper: Jones & Laughlin Steel Corp., 3 Gateway Center, Pittsburgh, Pa. 15230. Send protests to: District Supervisor Harold C. Jolliff, Bureau of Operations, Interstate Commerce Commission, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 112593 (Sub-No. 14 TA), filed March 6, 1968. Applicant: SIDNEY W. JOHNSON, doing business as SOUTHWESTERN FILM SERVICE, 8319 Aztec NE., Albuquerque, N. Mex. 87110. Applicant's representative: Jerry R. Murphy, 708 La Veta Drive NE., Albuquerque, N. Mex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Newspapers* when moving in the same vehicle at the same time with commodities authorized in MC 112593 and Sub Nos. 2, 7, 9, and 11, from Denver, Colo., to Albuquerque, Chama, Cuba, Espanola, Grants, Las Vegas, Los Alamos, Questa, Santa Fe, and Taos, N. Mex., for 150 days. Supporting shipper: The Denver Post, Denver, Colo. 80201. Send protests to: William R. Murdoch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 109 Federal Building, 421 Gold Avenue SW., Albuquerque, N. Mex. 87101.

No. MC 116763 (Sub-No. 125 TA), filed March 6, 1968. Applicant: CARL SUBLER TRUCKING, INC., Mail: North West Street, Versailles, Ohio 45380, 906 Magnolia Avenue, Auburndale, Fla. 33823. Applicant's representative: W. J. Bohman, North West Street, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ceramic and glazed wall, floor*, and *trim tile*, from Lakeland, Fla., to points in Alabama, Arkansas, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Texas *and return of empty pallets*, for 180 days. Supporting shipper: Florida Tile Industries, Inc., 608 Prospect Street, Lakeland, Fla. 33802. Send protests to: Emil P. Schwab, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 118535 (Sub-No. 38 TA), filed March 6, 1968. Applicant: JIM TIONA, JR., 803 West Ohio Street, Post Office Box 127, Butler, Mo. 64730. Applicant's representative: Carll V. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry urea, fertilizer, and fertilizer materials*, in pneumatic or self-unloading vehicles, from the plantsite of Nipak, Inc., near Kerens, Tex., to points in Oklahoma, Kansas, and Missouri, for 150 days. Supporting shipper: Nipak, Inc., 301 South Harwood Street, Post Office Box 2820, Dallas, Tex. 75221. Send protests to: H. J. Simmons, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 128878 (Sub-No. 2 TA), filed March 6, 1968. Applicant: SERVICE TRUCK LINE, INC., Post Office Box 961, Shreveport, La. 71103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, from Plano, Tex., to points in Texas, having a prior movement by rail, for 180 days. Supporting shipper: Agricultural Chemicals Division of the Arkla Chemical Corp. (referred to sometimes as "Arkla"), 400 East Capitol, Little Rock, Ark., 72203. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, T4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 129600 (Sub-No. 1 TA), filed March 6, 1968. Applicant: POLAR TRANSPORT, INC., 11 Holly Street, Hingham, Mass. 02043. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and restaurant supplies* (1) from Brockton and Quincy, Mass., to Miami, Fla., Atlanta, and East Point, Ga., Chicago, Ill., and points in Connecticut, Maine, Maryland, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, and Vermont, and (2) from New York, N.Y., to Brockton and Quincy, Mass., for 180 days. Supporting shipper: Howard D. Johnson Co., 309 Battles Street, Brockton, Mass. 02401. Send protests to: Richard D. Mansfield, District Supervisor, Interstate Commerce Commission, Bureau of Operations, John F. Kennedy Federal Building, Government Center, Boston, Mass. 02203.

No. MC 129723 (Sub-No. 1 TA), filed March 6, 1968. Applicant: LAND TRUCK LINES, INC., Route 2, Box 15–A, Albertville, Ala. 35950. Applicant's representative: John W. Cooper, Suite 1301 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden boxes*, assembled and knocked down, and *wooden pallets*, from Albertville, Ala., to McAlester, Okla., *rejected shipments* on return, for 150 days. Supporting shipper: United Wooden Container Co., Post Office Box 729, Albertville, Ala. 35950. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2121 Eighth Avenue, North Birmingham, Ala. 35203.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68-3246; Filed, Mar. 15, 1968; 8:48 a.m.]

[Notice 107]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 13, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered

proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–70185. By order of March 8, 1968, the Transfer Board approved the transfer to LaVerne Dale Jacobson, West Union, Iowa, of the operating rights in permit No. MC–126293 issued December 3, 1964, to Donald E. Anderson, West Union, Iowa, authorizing the transportation of animal and poultry feed, feed ingredients, drugs, medicines, feeders, waters, and oilers, and disinfectants, insecticides, pesticides, seeds, and twine, from West Union, Iowa, to points in Wisconsin, and specified points in Illinois and Minnesota; and animal and poultry feed ingredients, from points in Illinois, Minnesota, and Wisconsin, to West Union, Iowa. William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306, representative for applicants.

No. MC–FC–70236. By order of March 11, 1968, the Transfer Board, on reconsideration, approved the transfer to Townsend Trucking Co. Inc., Westfield, N.J., of the operating rights in certificate No. MC–44470 issued October 9, 1964, to John P. Townsend, doing business as Townsend Trucking Co., Westfield, N.J., authorizing the transportation of general commodities, except classes A and B explosives, household goods, commodities in bulk, and commodities requiring special equipment, between specified points in New Jersey, on the one hand, and, on the other, New York, N.Y., and Newark, N.J. Joseph Schoenholz, 744 Broad Street, Newark, N.J. 07102, and Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102, attorneys for applicants.

No. MC–FC–70242. By order of March 8, 1968, the Transfer Board approved the transfer to Inter-City Freight Lines, Inc., Independence, Mo., of the operating rights in certificate No. MC–109162 issued December 8, 1949, to Marvin C. Carl, doing business as Inter-City Freight Lines, Independence, Mo., authorizing the transportation of general commodities, with exceptions, between Independence, Mo., and Kansas City, Kans., serving all intermediate points, and between Independence, Mo., and Lake City Arsenal, serving all intermediate points, over specified regular routes. Marvin C. Carl, 1212 West Ruby, Independence, Mo. 64052, representative for applicants.

No. MC–FC–70296. By order of March 11, 1968, the Transfer Board approved the transfer to Harvey C. Petrick, doing business as Harvey's Towing Service, Madison, Wis., of the operating rights in certificate No. MC–116758 issued December 21, 1960, to Harley A. Moore, Madison, Wis., authorizing the transportation of wrecked or disabled motor vehicles and replacement vehicles to the locations of wrecked or disabled motor vehicles, by use of wrecker equipment, between points in Dane County, Wis., on the one hand, and, on the other, points in Minnesota, Iowa, Illinois, and the Upper Peninsula of Michigan. Donald R. McCallum, 111 South Fairchild Street, Madison, Wis. 53703, attorney for applicants.

No. MC–FC–70297. By order of March 8, 1968, the Transfer Board approved the transfer to Melvin Annan, Coin, Iowa, of the operating rights set forth in certificates Nos. MC–23883 and MC–23883 (Sub-No. 1) issued December 22, 1942, and February 24, 1947, respectively, to Harry Sigismund, Northboro, Iowa, authorizing the transportation of livestock, over a regular route between Northboro, Iowa, and St. Joseph, Mo., and Omaha, Nebr.; feed, building materials, and farm machinery and parts, from Omaha, Nebr., and St. Joseph, Mo., to Northboro, Iowa, and points within 10 miles of Northboro; and feed, from Atchison, Kans., to Northboro, Iowa, and points within 10 miles of Northboro. Melvin Annan, Coin, Iowa 51636, representative for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68–3247; Filed, Mar. 15, 1968; 8:48 a.m.]

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